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FREDERIC WINTHROP

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THE CONGRESS VOTING INDEPENDENCE, JULY 4TH, 1776.

BY ROBERT EDGE PINE AND EDWARD SAVAGE.

From the original painting in the Historical Society of Pennsylvania, Philadelphia.

HISTORY
OF THE
UNITED STATES OF AMERICA

BY
HENRY WILLIAM ELSON
AUTHOR OF "SIDE LIGHTS ON AMERICAN HISTORY," ETC.

*With Two Hundred Illustrations Selected and
Edited by Charles Henry Hart*

VOLUME II

New York
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1908

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The following advertisement is from a New York newspaper of August 20, 1798: "JOHN ADAMS ESQ President of the United States. To be seen at the Museum for one week only an original full length Portrait Painting (an excellent likeness) of His Excellency John Adams Esq President of the United States. This beautiful painting was lately taken from the life by Mr. Wm. Winstanley now of this city."

- II. ADAMS, SAMUEL (1722-1803). By John Singleton Copley . . . 12

- III. BRANT, JOSEPH, THAVENDANEGRA (1742-1807). By Charles
Willson Peale 94

This portrait was painted during a visit of the Mohawk chieftain to Philadelphia in 1797.

- IV. BURGoyNE, JOHN (1723-1792). By Thomas Hudson . . . 70

This cabinet portrait, 18 inches high, has never before been reproduced or even known, and portrays the general in his uniform of the Sixteenth Light Dragoons, which he raised, and was originally known as "Burgoyne's Horse." It is in the possession of Burgoyne's granddaughter, and I learned of it through the courtesy of Major General Hon. George Wrottesley, the son-in-law and biographer of Major General Sir John Fox Burgoyne. Reynolds painted Burgoyne in 1766, for the Count de la Lippe, but its whereabouts cannot be discovered.

- V. BURR, AARON (1756-1836). By Gilbert Stuart . . . 240

This portrait has never before been reproduced direct from the canvas. Burr's portraits certainly do belie the man, or is it the man the portraits? To look upon this portrait, or upon the familiar methodistical profile by Vanderlyn, it is quite impossible to reconcile his face and features with his character.

- VI. CORNWALLIS, CHARLES, MARQUESS (1737-1805). By Thomas Gainsborough 124
- This portrait was painted in the year following Cornwallis's return from his defeat at Yorktown, and so far as I have been able to learn has not before been reproduced.
- VII. FRANKLIN, BENJAMIN (1706-1790). By Charles Willson Peale 50
- This is the last portrait known to have been painted of Franklin, so that with the one given in Vol. I. by Pratt, we have the earliest and the latest delineations of the features of the great philosopher and patriot, thirty years apart. See the writer's "Life Portraits of Benjamin Franklin" in *McClure's Magazine*, January, 1897.
- VIII. FULTON, ROBERT (1765-1815). By Himself 268
- Like Morse, Fulton's fame as an inventor has so far outstripped his reputation as a painter that many do not know that he ever did paint, yet he did do some very interesting work. This self-portrait shows the faults often apparent in mirror reflection portraits.
- IX. GATES, HORATIO (1728-1806). By Robert Edge Pine 118
- This is a finely characteristic portrait of Gates, very like the Stuart and Du Simitiere portraits, and, as they are, very unlike the Peale, Trumbull, and Sharples pictures.
- X. GEORGE III., King of England (1738-1820). By Allan Ramsay 18
- This portrait was purchased in London by Joseph Harrison, Jr., of Philadelphia, about the middle of the last century, upon learning that it had been painted by the King's order for the State House in Philadelphia, where it now hangs. It was not sent out on account of the troubles that were brewing between the colonies and the mother country.
- XI. GREENE, NATHANIEL (1742-1786). By Charles Willson Peale 122
- XII. HAMILTON, ALEXANDER (1757?-1804). By Giuseppe Ceracchi 188
- The question mark is placed after the birth date of Hamilton because the date of his birth is not only unauthenticated, but extremely doubtful. In my judgment it should be several years

earlier. Of this fine bust it was said: "It has been Hamilton's good fortune that his lineaments have gone down ennobled by the genius of Ceracchi, and that solemn and majestic face, which would not have been particularly striking under any ordinary hand, is literally a part of his fame."

- XIII. HANCOCK, JOHN (1737-1793). By John Singleton
Copley 22

- XIV. HUTCHINSON, THOMAS (1711-1780) 4

This portrait, 18 x 14 inches, was given to the Massachusetts Historical Society in 1796, and is attributed to Copley by Perkins in his catalogue of that painter's work. But as Hutchinson was twenty-six years old when Copley was born, and could not have reached his fortieth year when this portrait was painted, it will be seen that it could hardly have emanated from Copley.

- XV. JEFFERSON, THOMAS (1746-1826). By John Henri
Isaac Browere 260

This is, in my opinion, the truest and most living portrait of Jefferson that we have. As it is cast from a Browere life mask direct, it cannot be otherwise than a perfect and correct delineation of his form and features. For a full account of it and its discovery, which reads like a romance, see the writer's "Browere's Life Masks of Great Americans," New York, 1899.

- XVI. JONES, JOHN PAUL (1747-1792). By the Countess de
Vendahl 100

This exceedingly interesting miniature confirms or is confirmed by the celebrated bust by Houdon, modelled in the same year, 1780. It was given by the noble painter to Jones, and from him inherited by his niece, Miss Janette Taylor of Dumfries, Scotland, who, in 1831, presented it to Lieutenant A. B. Pinkham, U.S.N., in acknowledgment of his generosity in rebuilding the cottage in which her uncle had been born. Lieutenant Pinkham deposited it in the United States Naval Lyceum at the Brooklyn Navy Yard, and on the breaking up of the Lyceum it was transferred to Annapolis. I am indebted to Professor Philip R. Alger, U.S.N., for the courteous use of the portrait and the data concerning its history.

- XVII. KNOX, HENRY (1750-1806). By Charles Willson
Peale 174

XXXII. WASHINGTON, GEORGE. By Gilbert Stuart. . . . 196

A glance will show that this is not the familiar "Stuart's Washington." It is, on the contrary, Stuart's first original portrait of Washington, painted before his Lansdowne whole length or Athenæum vignette head. It is in my opinion the only true real portrait of Washington from his hand, and also "the finest picture Gilbert Stuart ever painted." It is the portrait of a real man, vibrant with life, and not an idealized image, and is destined to take its proper place, as the real true Stuart's Washington, while the familiar Athenæum portrait will be relegated to its proper place of an ideal head.

XXXIII. WAYNE, ANTHONY (1745-1796). By Edward Savage 108

This is one of the three portraits mentioned in the poem as reproduced from original engravings, because the painter and the engraver were the same. The print from which this is taken is the only impression known, and has been the means of fixing definitely that the painted portrait in the New York Historical Society, presented as of Wayne, the correctness of which was questioned, is really Anthony Wayne, as they are one and the same. The common profile picture of Wayne is not an authentic portrait.

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XXXV. CARICATURES OF THE REMOVAL OF CONGRESS TO PHILADELPHIA, 1790 180

Possibly no subject at the time created so much feeling and excitement as the choice of a permanent site for the capital of the country and, when selected, its temporary removal from New York to Philadelphia. Robert Morris, the great financier of the Revolution and the most prominent merchant in the colonies, was strenuous in his efforts to have the capital located in Pennsylvania, but failing in that, he did succeed in having it in Philadelphia while the new capitol was being built. Consequently he was the butt of the lampoonist and the cartoonist. In the upper print he is represented as carrying the whole Congress on his back and in his trail, while in

the lower one horned Satan is beckoning him, "This way, Bobby," over the falls of the Delaware, where he had large interests, to his destruction.

XXXVI. CARICATURE OF THE ENCOUNTER BETWEEN LYON AND GRIEWOLD IN CONGRESS, 1798 210

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XXXVII. CARICATURE OF JEFFERSON AND THE EMBARGO, 1807 258

The upper one is inscribed "Intercourse or Impartial Dealings," and the lower one "Non-Intercourse or Dignified Retirement." Our early caricatures are mostly crude and coarse, but these two are well executed and printed in colors, with the likeness of Jefferson unmistakable.

XXXVIII. CONGRESS VOTING INDEPENDENCE. By Robert Edge Pine and Edward Savage . . . *frontis.*

This very important painting gives an exact representation of the room in which the Declaration was passed and signed, as Pine's painting room was the chamber of Congress. For a full description of this painting, see the writer's monograph upon it in the *Pennsylvania Magazine of History and Biography* for January, 1905.

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The old State House, erected in 1736, is without question the most important historic building in America, from the great events that have transpired within its walls, two of which stand forth so prominently that they eclipse all others. In 1776 the Declaration of Independence was here passed, and in 1787 the Constitution of the United States here was framed.

- XLII. INDEPENDENCE. THE TABLE UPON WHICH THE DECLARATION OF INDEPENDENCE WAS SIGNED AND THE CHAIR OF THE PRESIDENT OF CONGRESS 46**

These two pieces of furniture were likewise used by the Convention to frame the Constitution of the United States, and it is to the sun, ornamenting the top of the chair, that Franklin said he had always understood it was most difficult for a painter to paint the sun, close to the horizon, so as to tell whether it was a setting or a rising sun. "But," said he, "after the Constitution had been passed and the members were signing, I looked at the sun behind President Washington and I saw for the first time that it was a rising sun."

- XLIII. YORKTOWN, SURRENDER OF CORNWALLIS AT. By John Trumbull 130**

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HISTORY OF THE UNITED STATES

CHAPTER XII

THE REVOLUTION—OPENING EVENTS AND CAUSES

THE American Revolution, viewed from its results, was one of the greatest movements in human history. The expenditure of life and treasure has often been exceeded, but the effect on the political life of the world is not easy to parallel. The chief result was the birth of the first successful federal government in history, a government that was destined to expand to the western ocean within a century and to grow into a nation of vast wealth and power and of still greater possibilities.

It is believed by many that the mild bond of union which held the American colonies to the mother country might have remained unbroken for an indefinite period but for the unwise policy that brought about the resistance of the former; others are of the opinion that the child had come of age, and that nothing could have long delayed a political separation. Be that as it may, it is certain that for more than fifty years before the Seven Years' War there was a strong attachment between the two peoples, and that the thought of severing their bond of union was nowhere entertained. It is true that the royal governors were forever complaining to the Lords of Trade about the unruly spirit of the colonial assemblies; it is also true that the colonists

were constantly annoyed by the Navigation Acts, and that they thought it not robbery to evade them when they could; but these were only ripples on a smooth sea. And America was happy; the people continued to hew away the timbers and to build cities and churches and schools, to delve the soil, to raise grain and tobacco and cattle; they had grown strong in battling with the forest, the Indians, and the wolves: but with all their growing strength, of which they could not have been unconscious, they did not long to escape the mother wings; their proudest boast was still that they were Englishmen.

It must be said, however, that a separation sooner or later was inevitable. It is true that there was no plot, no conspiracy in America looking to independence; but there were forces at work for many years that must eventually dissolve the political bond between the two peoples. It must be remembered that, while America was the child of England, it was not the child of the England of 1760, but rather of the England of 1600. The great Puritan immigration ceased with 1640, the Cavalier immigration ceased a few decades later, and in all the century that had passed since then the migration from England had been small. The English institutions, transplanted to America early in the seventeenth century, had developed on purely American lines, had been shaped by the social, political, and economic conditions peculiar to America. The result was that the two peoples unconsciously grew apart, so far apart that they were no longer able to understand each other; and when England now attempted to play the part of parent, the fact was brought out that the relations of parent and child existed no longer between the two countries. The colonies had reached a point in their development where they could

govern themselves better than they could be governed by a power beyond the sea. Writers who find in the Stamp Act, the tax on tea, and the like, the sole cause of the Revolution fail to look beneath the surface. These were but the occasion; they hastened its coming, but the true causes of the separation had their roots in the far past.

Again, the conquest of Canada changed the relations between England and the colonies. So long as this old enemy hung on the north, both England and her colonies were held in check; the colonies felt a certain need of protection; England felt that a contest with the colonies might drive them to a coalition with the French. But now as this obstacle was removed both could be natural in their relations with one another; and this normal relationship soon revealed how far apart they stood. England then failed to recognize this divergence; she attempted to deal with America, not as a part of the empire, which it was, but as a part of the British realm, which it was not.¹ But for this false assumption by the British government and an attempt to act in accordance with it, the old relations might have continued for years to come.

An evil day came. The sky had been specked with a little cloud here and there for many years. Why should so many criminals from the British prisons be forced upon the colonists? This was irritating, and had been so from the earliest period. Why was the attempt of various colonies to preserve society by checking the African slave trade summarily crushed by the Crown, in order simply to enrich the English trader? This did not indicate a mother's affection for a child. Again, the overbearing hauteur of many of the royal governors, who were supposed to represent the

¹ Snow's "Administration of Dependencies," p. 149.

king, was distasteful to a people who believed themselves as good as any other Englishmen. Still again, during the late war with the French, the British officers were ever ready to show their contempt for the provincial troops, and colonial officers were often replaced by British officers. All these things were at least unpleasant for the American-Englishman to contemplate; but they were not serious, and their effects would have passed away like a morning mist but for the greater events that were to follow.

OTIS AND HENRY

The long war was nearing its close; Quebec had fallen and British arms were triumphant in all parts of the earth, but withal, the British debt had risen to alarming proportions. The colonies also had incurred heavy debts by the war, and a small portion of them had been paid from the English treasury. There was now a general feeling among British statesmen that the colonies should, in some regular and systematic way, be made to bear a portion of the burdens of the empire.

George Grenville now became head of the English government; and, no doubt with good intentions, he decided on a threefold policy in relation to the colonies. First, the Navigation Acts must be enforced. The high duties of the Molasses Act of 1733, which had always been evaded, were lowered in the Sugar Act of April, 1764, after which it was determined to enforce them. Second, a standing army must be maintained in America; and third, the colonies should be taxed.

In order to enforce the navigation laws custom officers were to be armed with "Writs of Assistance," or general search warrants, which authorized them to enter any store,



1711 — THOMAS HUTCHINSON — 1780.

From the original portrait in the Massachusetts Historical Society, Boston, Mass.

warehouse, or private dwelling to search for smuggled goods. This system of spying was very distasteful to the people, and their resentment was intensified by the genius of James Otis, a brilliant young Boston lawyer, who must be considered the pioneer of the Revolution. Otis was an advocate of the king, but he resigned the office and took up the cause of the people. In a fiery, passionate address before the Superior Court he sounded a clarion note, declaring that the power used in issuing the writs was the kind of power the exercise of which had "cost one king of England his head and another his throne," and calling upon the people to resist. The people took up the cry, and it spread from the New England hills to the valleys of the Hudson, the Delaware, and the James. In a short time the whole people were roused to resistance against the infringement of their liberties. Otis based his argument on the broad ground of the rights of the colonists as Englishmen.² The speech of Otis was an epoch-making one; it sounded the first note of resistance to British authority heard in colonial British America, and has been called the opening scene of the Revolution. John Adams, then a young law student, listened to the passionate eloquence of Otis, and wrote, fifty-six years later, "Then and there the child Independence was born."³

² Channing's "United States," p. 43.

³ Otis soon afterward was elected to the Massachusetts assembly, became the leader of the popular party, and wrote several vigorous pamphlets. Some years later, in an altercation with a customs official, the latter struck him on the head with a cane, inflicting a wound that impaired his health for life. He fought as a private in the battle of Bunker Hill. Otis retired from public life long before his death, which occurred in 1783. He had often expressed a desire to die by a lightning stroke, and one day, as he stood in his door during a thunder shower, his wish was gratified; he was instantly killed by lightning.

Scarcely had the sound of Otis's eloquence ceased to reverberate when a second note of warning arose. It came from Patrick Henry of Virginia. Henry was a young lawyer of Scotch parentage. As a youth he was shiftless and gave little promise for the future, though he had a fair education. Three years before attaining his majority he was married; he became a storekeeper and failed; then he went to live with his father-in-law, an innkeeper, and became his assistant. The future seemed to promise him little, but he played the violin and seemed contented with his lot. At length he turned his attention to the law, and after six weeks' reading was admitted to the bar. For several years his clients were few and he barely earned his daily bread, but still he was happy with his violin. It was after ten years of married life, when in his twenty-eighth year, that his remarkable genius was discovered. He burst forth suddenly upon the public; he became the most eloquent public speaker of his generation.

The matter that brought Henry to the front is known as the Parson's Cause. It had no connection with navigation acts nor with writs of assistance; but the principle involved was one and the same. Virginia still paid its clergy in tobacco; but back in the fifties, under pressure of the war, the assembly passed an act permitting the payment of public dues, including the salaries of the clergy, in provincial money. All went well for several years, when the clergy, feeling themselves defrauded, complained to the bishop of London, who laid the matter before the king, and the king summarily vetoed the Virginia law. Rev. James Maury now made a test case, sued in the court for damages, or back salary, and won his suit. A jury was to fix the amount of damages, and it was before this jury that Patrick Henry

blossomed forth to the world, transformed from a shiftless mediocre to one of the leading men of his age.

Henry was in the wrong, or rather the Virginia assembly had done wrong, for it partially repudiated an honest debt by forcing payment in a depreciated currency. But that was not the chief question dealt with by Henry. The question was, What right has a king three thousand miles away to interfere in the private, internal affairs of Virginia? Virginia has the right to make her own laws, was the burden of his speech; in annulling a law at the request of a class, "a king, from being a father to his people, degenerates into a tyrant, and forfeits all rights to obedience." The friends of his Majesty cried "treason," but the people were ripe for such a prophet and heard him gladly; so with the jury, for they awarded the parson only a penny. The fame of the orator spread far and wide. The people admired the rising genius, and, as in the case of Otis, their admiration was inseparably linked with what he had said about their rights and the infringement of those rights by the king; and thus were sown in the American heart the seeds of discontent.

THE STAMP ACT AND OTHER ACTS

No crisis had yet been reached. Otis and Henry had each made more than a local reputation at the expense of British authority, and they had both won. The writs of assistance had fallen still-born, and the king had yielded in the Parson's Cause. A shadow was thus cast over the royal prerogative, but it was not threatening; American loyalty was too deep-seated to be seriously shaken by such trifles. But greater events were soon to follow.

Every source of English revenue was drained on account of the great war debt, and it was proposed to lay a tax on

the colonies, not to pay the interest on the national debt, nor to be expended in England in any way, but solely for the protection and defense of the colonies. It was thought necessary to maintain a standing army in the colonies to preserve order and to prevent Indian outbreaks, and this belief was confirmed by the great conspiracy of Pontiac. The colonists, however, strenuously denied the need of British troops on American soil in time of peace. They believed that the true reason was to hold them in awe. Franklin, who was then in London, stated to a committee of Parliament that there was no occasion whatever to inaugurate such a movement, that the colonists when but a handful had defended themselves against the Indians, and that they were more competent to do so now. But all protest was unavailing, and the government decided to quarter an army of ten thousand men among the Americans, and to tax the latter for its partial support. Lord Grenville sought how to raise the revenue by the easiest method without offending the colonists. There is little doubt that he was sincere and that he did not mean to offend them. A stamp tax suggested itself; but the idea was not original with Grenville. As early as 1728 Governor Keith of Pennsylvania had proposed a stamp tax for America. Governors Shirley and Dinwiddie had again proposed it about 1755, but the oncoming war had deferred the matter.⁴

Grenville proposed the stamp duties in the spring of 1764, a year before the act was to be passed. His object, as he

⁴ Pitt was not in favor of it. "I will never burn my fingers with an American stamp tax," said he. As early as 1732, when a stamp tax for America was proposed to Premier Sir Robert Walpole, he answered, "I will leave the taxation of America to some of my successors who have more courage than I have." See Lossing's "Cyclopedia of United States History," p. 1334.

said, was to consult the colonial agents and even the colonial assemblies, requesting them to propose some better method, if possible, for raising the necessary revenue. No doubt Grenville, like most British statesmen, felt piqued at the evasion of the navigation laws in America and at the failure of the writs of assistance; but there is no proof that he desired to humble the colonists with an army and with stamps. He doubtless meant it all for the best, but with all his sincerity, he was narrow-minded, and never perhaps dreamed of the storm he was about to raise. The year passed, and a majority of the colonial assemblies spoke against the proposed law, none offering an alternative; the universal voice from America was against it. But this warning was not heeded; and in March, 1765, the Stamp Act became a law and was to go into operation on the first of the following November. The colonies were not without friends in the Commons during the debate that preceded the passage of the law, the foremost of whom was Colonel Barre,* who had fought by the side of Wolfe at Louisburg and Quebec. In a sudden burst of eloquence, in answer to the statement that the colonies were "children planted by our care, nourished by our indulgence, and protected by our arms," Barre made his famous reply: "They planted by your care! No; your oppression planted them in America. Nourished by your indulgence! They grew up by your neglect of them. They protected by our arms! Those sons of liberty have nobly taken up arms in your defense."†

The stamps, ranging in value from a few pence to several pounds, were to be placed on newspapers, marriage licenses,

* Pitt was absent with the gout.

† The expression "Sons of Liberty" was soon caught up in America, and made the party name of a patriotic society that spread through all the colonies.

deeds, shipping bills, and many kinds of legal papers—fifty-four kinds of documents in all.

The promoters of this law in Parliament doubtless expected some protest from America, but they were not prepared for the violence of the opposition that was awakened. A few weeks after the news of the act reached the colonies the storm broke forth in all its fury. The Virginia legislature was then in session, and Patrick Henry, who was now a member, offered a series of resolutions in which he declared that the people of that colony were entitled to all the privileges of natural-born subjects of England; that they, through their assembly, had the exclusive right to tax the colony; that they were not bound to yield obedience to any law, except of their own making, designed to impose any taxation whatsoever upon them; and that any person or persons who assert or maintain such right "shall be deemed an enemy to his Majesty's colony." In supporting his resolutions Henry made one of his great speeches, in which the well-known passage occurs, "Cæsar had his Brutus, Charles I his Cromwell, and George III"—"Treason," shouted the speaker, and the cry was echoed from the chamber. "George III," continued Henry firmly, "may profit by their example. If that be treason, make the most of it." The old conservative members opposed the resolutions, but Henry's impetuous eloquence carried them through by a narrow margin.⁷ These ringing resolutions were sent over the land to the North and to the South, and by midsummer they had been published in all the leading newspapers in America.

⁷ Next day, in the absence of Henry, the resolutions were reconsidered, and modified, and the most violent one was struck out. But they had been given to the public in their original form, and in this form they were published broadcast over the land.

Massachusetts again joined hands with Virginia in upholding colonial liberty. The legislature, led by Otis, issued a circular letter to all the colonists, calling for a general congress to meet the following autumn. The Stamp Act Congress, in response to this call, met in the City of New York. Nine of the colonies were represented, while the remaining four sent their expressions of good will. This congress sat but three weeks. Otis was its leading spirit, ably seconded by Christopher Gadsden of South Carolina.* It framed a Declaration of Rights, and respectfully petitioned the king and both houses of Parliament. Gadsden, in a notable speech, used the significant words, "There ought to be no New England men, no New Yorkers, known on the continent, but all of us Americans." This congress was important in that it fostered concerted action and established a precedent for union.

Meantime, during the summer, the opposition to the Stamp Law grew in intensity. The Sons of Liberty organized in every colony, determined to prevent the operation of the law. Most of the colonial legislatures took action against it, and as the time drew near, riots occurred in various sections, and mass meetings were held to denounce the odious law. As the first installments of stamps began to arrive and the names of the distributors were made known, the rioting increased and reached its culmination in Boston, where the usual meeting place, Faneuil Hall, became known as the Cradle of Liberty. Boxes of stamps were seized and destroyed by the mob; distributors were burned in effigy. The fine residence of Chief Justice Hutchinson of

* In the Stamp Act Congress we find Livingston of New York, Dickinson of Pennsylvania, Rodney of Delaware, and Rutledge of South Carolina, who was chosen president; all were leading men of the Revolution.

Massachusetts was sacked and his valuable library destroyed. In New York Lieutenant Governor Colden attempted to enforce the act, but the people were furious. He threatened to fire on the crowd, and was informed that if he did so he would speedily be hanged to a lamp-post.* Colden's best chariot was seized, dragged through the streets with the image of himself and of the devil sitting side by side in it, and burned in the open square in view of his own house. Merchants and business men banded together and agreed not to import goods from England until the law was repealed; newspapers came out with a death's-head and crossbones where the stamps were required to be. In short, the opposition was so determined and widespread that it was evident that the law could not be enforced except at the point of the bayonet.

Viewing the matter calmly from this distance, it must be confessed that no better or more equitable method of taxing the colonies could have been found than by means of stamps, if it be conceded that England had the right to tax them at all. But this was exactly what the colonists denied. "Taxation without representation is tyranny," became the battle cry. Lord Mansfield and others explained that the colonies were represented in Parliament, as every member of the Commons represents in a broad sense the whole British Empire, and that the colonists were as truly represented as were eight ninths of the inhabitants of England, who had no vote for members of Parliament and yet were taxed by them. The Americans answered that there was a great difference between the Englishman who had no vote and the colonist; as the former was a part of the British public to which the member of Parliament was responsible, while the

* Fiske's "American Revolution," Vol. I, p. 24.



1737 — JOHN HANCOCK — 1793.

By JOHN SINGLETON COPLEY, 1774.

From the original portrait in the Museum of Fine Arts, Boston, Mass.

Boston on a fleet horse to rouse the people of New York and Philadelphia, but ere he reached the former the Sons of Liberty had taken action for a congress. The Massachusetts legislature added its voice in June. Delegates were chosen in all the colonies except Georgia, and they met in Carpenter's Hall, Philadelphia. Among them we find such leaders as Washington, Lee, and Henry of Virginia, Dickinson of Pennsylvania, Samuel and John Adams of Massachusetts, Roger Sherman of Connecticut. The Congress was not a constitutional body; many of its members had been chosen irregularly. Its authority was limited to the willingness of the people to respect and obey its suggestions and mandates. The very fact of its existence had a meaning of great significance, but it was too profound for the comprehension of George III. It was less a congress than a national committee, an advisory council of continental magnitude. It attempted no national legislation. It was controlled by conservative men who counseled moderation. They made a declaration of rights, mild but deeply sincere; they prepared an address to the king, disavowing a desire for independence, another to the people of England, and still another to the people of Canada. They also approved the policy of non-intercourse with Great Britain, and formed an association to carry it out. The forming of this association, which at first constituted the revolutionary machinery, was an act of great importance. Its object was to secure a redress of grievances by peaceful methods, by enforcing the non-importation and non-consumption agreement. To carry out this purpose committees were to be formed in every county or township in the colonies. These worked under the guidance of the Committees of Correspondence. The local committees marked out for persecution every loyalist who re-

fused to comply with the recommendation of the Congress. The loyalists made a feeble effort at counter organization; but the patriots were so furious in their opposition that little came of it. Not until the next year, 1775, did the patriots begin to form associations pledged to oppose the aggressions of the king by force of arms.¹⁸

Among other things this Congress indorsed a set of resolutions from Suffolk County, Massachusetts, drawn up by Joseph Warren. By these it was declared that the king who violates the chartered rights of the people forfeits their allegiance, that the Regulating Act was null and void, and so on. After Congress had adopted them, Massachusetts, in accordance with their spirit, proceeded to set up a provisional government.

This Congress sat for about seven weeks and then adjourned, after appointing the 10th of the following May for a second Congress, in case it was needed. When the addresses issued by this Congress reached England, Chatham paid the following remarkable tribute to the men who framed them:—

“When your lordships look at the papers transmitted us from America—when you consider their decency, firmness, and wisdom, you cannot but respect their cause. . . . For myself I must declare and avow, that in all my reading and observation . . . that for solidity of reasoning, force of sagacity, and wisdom of conclusion . . . no nation or body of men can stand in preference to the Congress at Philadelphia. I trust that it is obvious to your lordships, that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be fatal.”

¹⁸ Van Tyne's "Loyalists in the Revolution," p. 75.

In Massachusetts the summer had been one of unusual excitement. The people set the Regulation Act at defiance and banded together in thousands to prevent its operation. They surrounded the courthouse and forced the king's officers to resign; they refused to serve as jurymen; they met for military drill on the village green of every town. The leaders of the people, in the absence of Samuel Adams, were John Hancock, a man of refinement and culture and the richest merchant in New England, and Joseph Warren, a prominent physician, a man of unsullied patriotism, and the bosom friend of Adams.

General Gage had returned to Massachusetts with an army with which to awe the people, and he was made civil as well as military governor. The people answered these proceedings by organizing into bands of "minutemen," ready to move on a minute's notice. On one occasion Gage sent a party of soldiers to seize some powder at Charlestown; the rumor spread that they had fired on the citizens, and in less than two days twenty thousand farmers were under arms, marching toward Boston. But the rumor proved false, and they returned to their homes. Late in October a provincial congress met at Concord, with Hancock as president and Warren the chairman of a committee appointed to collect military stores. This congress dissolved in December, and another met at Cambridge in February and proceeded to organize the militia and to appoint officers.

During the winter and spring of 1775 the estrangement continued to increase, and every index pointed to a conflict of arms. The king and Parliament and Gage had miscalculated when they believed that the presence of an army would awe the colonists and change them from roaring lions into fawning lambs. Nor were the colonists making a leap in the

dark; they were strong, and they knew that they were strong. Their bodies had been developed in clearing away the forests, in tilling the soil, in fishing and shipbuilding; they had become expert marksmen in fighting Indians and wild animals, and many of them had gained an excellent military training in the late war with France. Gage issued a proclamation offering full pardon to all the people, except Samuel Adams and John Hancock, if they would yield to his authority; but the people did not heed him; they only kept on organizing, drilling, and collecting military stores in the towns. Gage had been ordered to arrest Adams and Hancock, who had been elected to the Second Continental Congress, and to send them to England for trial. The two patriot leaders, fearing arrest, were at Lexington in hiding. The British general discovered their hiding place, and, on the night of the 18th of April, sent a body of eight hundred regulars to make the arrest and, at the same time, to move on a few miles farther and destroy the military stores at Concord. Silently in the darkness the troops were rowed across the Charles River, and by midnight they were well on their way to Lexington. Every precaution for secrecy had been taken, but the vigilance of the patriots was too keen to be eluded.

Paul Revere, one of the noblest of the Sons of Liberty, stood by the river, his steed by his side, waiting for a lantern signal from the belfry of the North Church, which would inform him of the direction the troops had taken. The signal appeared, and a moment later he was galloping through the night toward Lexington. At every door, as he dashed along, he shouted the thrilling news that the British were coming. Reaching Lexington, he came to the house of the Rev. Jonas Clark, where Hancock and Adams were



1735 — PAUL REVERE — 1818.

By GILBERT STUART, 1807.

From the original portrait in possession of Mrs. John Revere, Canton, Mass.

sleeping. The door was guarded by minutemen, who warned him not to disturb the inmates with his noise. "Noise!" cried Revere, "you'll soon have noise enough; the regulars are coming!"¹⁶ Hancock, at an upper window, knew his voice and invited him in; and a few hours later, when the enemy came up, the two patriots had quietly proceeded on their way to the Congress at Philadelphia.

The news of the approaching enemy spread on to Concord, and to the surrounding towns and farmhouses; and the men arose, seized their guns, and hastened to the scene of the coming conflict. Colonel Smith, in command of the English, saw but too plainly, by the flickering lights on the hills, by the sound of bells and of signal guns, that his movements were known, and he sent back to Gage for reinforcements while he dispatched Major Pitcairn forward with six companies of infantry to secure the bridge at Concord. Pitcairn reached Lexington at sunrise, and found himself confronted by some forty minutemen under Captain John Parker.¹⁷ With an oath he called upon them to disperse, but they stood as motionless as a wall, and he ordered his men to fire. The soldiers hesitated, and Pitcairn discharged his own pistol, and thus fired the first shot of the war of the Revolution. Again he ordered the men to fire; they now did so, and the volley laid seven of the patriots dead and ten wounded upon the village green. Parker was greatly outnumbered, and, after making a feeble resistance, ordered his men to retire. But the day's business was only begun. The British troops hastened on to Concord and en-

¹⁶ Fiske, Vol. I, p. 121.

¹⁷ Parker had said to his men, "Don't fire unless you are fired on; but if they want war, it may as well begin here." Parker was the grandfather of the great New England preacher and abolitionist, Theodore Parker.

tered the town unopposed, as the minutemen, to the number of two hundred, had withdrawn to the top of the hill beyond the river, taking with them or hiding most of the cannon and stores. The regulars destroyed the little they found, cut down the liberty pole, and set fire to the courthouse. But their work came to an abrupt close. Two hundred of their number had been left to guard the North Bridge that spanned the little river near the village, and on these the patriots, now increased to four hundred, made a descent and opened fire. The firing of both sides, the river flowing between them, was brisk for some minutes and a few of each were slain. This was the first encounter after that on the greensward at Lexington some hours before.

Colonel Smith now understood the peril of his position, and determined to retire. But it was already too late. The whole surrounding country was roused; the farmers and villagers swarmed to the scene, and, without a leader, without order, from every hiding place—trees, fences, thickets, and hillocks, in true Indian fashion—they poured an incessant fire into the retreating British. The latter were not wanting in courage; they made a brave effort to retreat in order, but the retreat became a rout, and every attempt to halt and form into line was thwarted by the deadly hail of patriot bullets from every side. Many of them fell dead or dying on the road; the rout became a race with death. They had marched all the night before; the day was hot, and they were well-nigh exhausted. The whole force would have been killed or captured but for the coming of reinforcements. When they reached Lexington, they were met by Lord Percy with twelve hundred men coming to their rescue. Percy opened his ranks to admit the fugitive soldiers; and they ran in, as a hunted fox finds his

den in the mountains, and fell to the ground, with their tongues hanging from their mouths in sheer exhaustion. Percy planted his cannon, and for a time held the Americans at bay; but as he began his march toward Boston they attacked him in ever increasing numbers, and the battle ceased only at nightfall when the British found shelter under the guns of the royal ships in the harbor. The British loss was 273 and the American loss 93.

Thus ended the first armed conflict of the Revolution.¹⁸ That night was one of intense commotion in the vicinity of Boston. The patriots did not return to their homes; they encamped on the ground, and their numbers were rapidly augmented from every hill and valley of New England. Israel Putnam of Connecticut left his plow in the furrow to lead a band of fellow-farmers to Cambridge; Benedict Arnold brought a company from New Haven; John Stark arrived from New Hampshire with twelve hundred men, and Nathanael Greene from Rhode Island with a thousand. Within a few days after the affair at Lexington and Concord, Boston was beset by an untrained army of sixteen thousand men.

The news of the battle soon spread beyond the confines of New England, and the whole country was aroused. The people rose in general rebellion against their rulers, and within a short time every royal government in America had fallen.¹⁹ In New York the patriots set the royal officials at defiance, and seized the munitions of war; New Jersey and Pennsylvania rejected all overtures of reconciliation and

¹⁸ In the wilderness of Kentucky the pioneers were founding a town when the news of the battle reached them, and they named the town Lexington.

¹⁹ Governors Tryon of New York and Franklin of New Jersey maintained a semblance of power for some months longer.

began to train their militia; Governor Dunmore fled from the infuriated people of Virginia; and from the far South the voice of Georgia joined in the general chorus. Exactly three weeks after the Lexington fight the fine fortress of Ticonderoga, which guarded with its two hundred cannon the watershed between the great valleys of the St. Lawrence and the Hudson, was surrendered "in the name of the great Jehovah and the Continental Congress" (which met on that day) to Ethan Allen with less than a hundred "Green Mountain Boys;" and on the same expedition the fortress of Crown Point fell into the hands of another Vermonter, Seth Warner.

Every indication now pointed to a long and bloody war. Franklin, just returned from England, declared that the colonies were lost forever to the British Crown. Yet the thought of independence had scarcely at that day entered the colonial heart; reconciliation was still possible, but only on the ground that England would yield every point at issue. This the proud, obstinate monarch could not do, and events moved rapidly on till the opportunity was lost.

NOTES

The Hutchinson Letters. — Among the interesting occurrences of this period, not mentioned in the text, was the Hutchinson letter episode. Hutchinson was the royal governor of Massachusetts, and, though a native of the colony, his sympathies were with the king. In a series of private letters written by him and other royal officials (1773-1774) to an under secretary, Whately, of London, the colonial leaders and charters were attacked. Copies of these letters fell into the possession of Franklin, then in London, and he saw in them a conspiracy against his country, and sent them to the Massachusetts assembly. The tempest raised by their publication resulted in a petition for Hutchinson's recall. Franklin was arraigned before the Privy Council for treachery in disclosing private letters, and was denounced by Solicitor Wedderburn with the most abusive and coarse invective. Franklin listened with apparent



1741 — JOSEPH WARREN — 1775.

BY JOHN SINGLETON COPLEY, 1774.

**From the original portrait in the Museum of Fine Arts, Boston.
By permission of the owner, Major Warren P. Newcomb, U.S.A.**

indifference and never regretted his action, though English writers to this day denounce it as dishonorable.

Burke on the Tea Tax.—The principle for which the colonies contended was not misunderstood in England. In reply to the statement that the tax on tea was trifling, Edmund Burke (April 19, 1768) replied: "Could anything be a subject of more just claim to America, than to see you go out of the plain high road of finance . . . merely for the sake of insulting your colonies? No man ever doubted that the commodity of tea could bear an imposition of threepence. But no commodity will bear threepence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonists are the same as those of Mr. Hampden when called on for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave."

Samuel Adams and the Election of the First Congress.—The Massachusetts assembly was very anxious to choose delegates to the Congress to meet in September at Philadelphia; but it was known that at the first hint at such business the governor would dissolve the assembly. On June 17, 1774 (made famous a year later at Bunker Hill), the favorable moment came. The door was locked and delegates were nominated. Some of the members were frightened and sought to go out, but Adams pocketed the key. At length one of the loyalist members pretended to be very ill and was allowed to go. He ran to the governor and told the news. Governor Gage instantly sent his secretary with a writ dissolving the assembly, but the secretary found the door locked. He then read the writ in a loud voice from the steps outside. Meantime the assembly had elected four delegates—the two Adamses, Robert Treat Paine, and Thomas Cushing—by a vote of 117 to 12.—See Fiske, Vol. I, pp. 104-105.

The Mecklenburg Declaration.—The county committee of Mecklenburg County, North Carolina, on May 31, 1775, resolved that as the king and Parliament had "annulled and vacated all civil and military commissions granted by the Crown," etc., the provincial congresses, directed by the Continental Congress, are invested with all legislative and executive power, independent of the Crown, until Parliament should resign its arbitrary pretensions. This was a bold and admirable resolution, and it formed the basis many years later of the so-called Mecklenburg Declaration of Independence, very similar to the great Declaration of 1776. This spurious Mecklenburg Declaration was never published till 1819.

Paul Revere. — One of the most heroic minor figures of the early years of the Revolutionary War was Paul Revere, and his name has received a permanent historic setting in the poem of Longfellow. He was of Huguenot descent; he served in the French War as lieutenant of artillery. By profession he was a goldsmith and copperplate engraver, and he engraved the plates for the "Continental money." In 1775 he was sent to Philadelphia to learn to make powder, and on his return he set up a powder mill. He also became a manufacturer of church bells and cannon. Revere was forty years old at the time of his famous midnight ride. He was captured by the British while on that ride, between Lexington and Concord, but he was soon set free. He lived nearly forty years after the Revolution, dying in 1818, at the age of eighty-three.

CHAPTER XIII

THE REVOLUTION—WAR AND INDEPENDENCE

SECOND CONTINENTAL CONGRESS

IT was on May 10, 1775, the day that had witnessed the capture of the powerful fortress at the base of the Adirondacks by the intrepid Allen, that the Second Continental Congress met in Independence Hall, Philadelphia. It was composed of the best brains of the land. Most of the old members of the preceding Congress were present, but some of the strongest men in the body now took their seats for the first time. Among these were Thomas Jefferson, a youthful Virginian whose powers were beginning to unfold; Benjamin Franklin, the only American who enjoyed a world-wide fame; and John Hancock, who was chosen president in defiance of the king's proscription.²⁰

The Congress was a conservative body. Only a few of the members—the two Adamses, Franklin, and possibly Jefferson and Hancock—honestly believed that a reconciliation with England was past all hope; but even these were agreed that any consideration of the subject was not then in place. This Congress, like its predecessor of the year before, was only a great committee, or a combination of committees, met for the avowed purpose of seeking and, it may be said,

²⁰ Peyton Randolph was again chosen president, but he was called to Virginia; and Jefferson, who had been elected as an alternate, occupied his seat while Hancock was made president.

demanding a redress of grievances. Yet it was forced by existing conditions to assume some of the functions of a national government. Its most important act was to adopt the straggling army around Boston as the "Continental Army," and to appoint for it a commander in chief. George Washington, at the suggestion of John Adams, was chosen to be commander of the army. As Adams described, in an elaborate speech, the high qualifications necessary to the position and reserved mentioning the name of his choice to the close, Washington sat near and watched his face intently, and hearing his own name mentioned, perhaps without any expectation of it, he quickly arose and went into an adjoining room. A recess was then taken that the members might talk the matter over privately; and when they re-assembled Washington was elected unanimously.²¹ This choice was made for two reasons. First, the Continental army was thus far a purely New England army, and it was felt that a commander must be chosen from the South in order to secure the more firmly the aid and sympathy of that section and to allay any feeling of jealousy that might arise. Second, Washington was honestly believed to be the best choice that could be made. His military reputation was second to none in the country. The remarkable journey he had made while still a youth through the wilderness of Pennsylvania at the behest of Governor Dinwiddie had not been forgotten; nor his saving of Braddock's defeated army just twenty years before the meeting of this Congress. He was now commander of the Virginia militia, and moreover he was noted for his stanch character, his stalwart, com-

²¹ Hancock had expected and desired the appointment. Congress at the same time appointed four major generals, Artemas Ward, Charles Lee, Philip Schuyler, and Israel Putnam, and eight brigadiers.



1736—DANIEL MORGAN—1802.

BY CHARLES WILLSON PEALE, 1794.

From the original portrait in the old State House, Philadelphia.

manding appearance, his marvelous self-control, and above all for his extraordinarily sound judgment.

This Congress, while recognizing a state of war and preparing for its vigorous prosecution, disclaimed any intention of casting off allegiance to the Crown of England. On the contrary, led by Dickinson and Jay, it prepared a new petition to the king, almost fulsome in its tone, and sent it to London by a special messenger, Richard Penn, who was himself a Tory. Addresses were sent to the people of Great Britain, to Ireland, and to Canada. Congress also authorized the issue of two million dollars in bills of credit, or paper money, set apart a day of fasting and prayer, authorized various colonies to form local governments, and did many other things. Thus gradually, as circumstances required, Congress was forced to assume sovereign powers. Meanwhile matters had reached a crisis at Boston, and before the coming of midsummer, before the arrival of the newly appointed commander, the most famous of all the battles of the Revolutionary War had been fought.

BUNKER HILL

Notwithstanding the Lexington disaster, British hopes again ran high in Boston harbor during the spring of 1775. The arrival in May of Howe, Clinton, and Burgoyne, with another army, raised the British force to ten thousand men. Gage seemed no longer to doubt his ability to put down rebellion; and yet, to show his moderation, he issued a proclamation, offering a free pardon to all, except Adams and Hancock, who would lay down their arms and return to their allegiance, while those taken in arms were to be put to death. Gage had possession of Boston, and he might have felt secure but for the menace of the surrounding hilltops

from which the enemy might throw shells into his camp and shipping. He therefore determined to occupy some of these hills.

Boston, a city of some seventeen thousand people, was situated on a peninsula jutting northward, while farther to the north, across a narrow channel of water, was the Charlestown peninsula, connected with the mainland by an isthmus known as Charlestown Neck. On the point of this peninsula lay the village of Charlestown, and back of the



village rose an elevation called Breed's Hill, while farther back was situated a higher elevation known as Bunker Hill.

The American army occupied the mainland and extended in a grand semicircle for sixteen miles — from

Cambridge to the Mystic River. It was under the general command of an honored veteran of the late war, General Artemas Ward, whose headquarters were at Cambridge. Hearing of Gage's intention to occupy the hills above Charlestown, Ward sent a force of twelve hundred ²² men on the night of the 16th of June to fortify and possess Bunker Hill and thus to forestall the English. Under Colonel William Prescott, who had witnessed the dispersion of the Acadians twenty years before, this band of men marched silently to the

²² These figures are given by Frothingham, "Battle of Bunker Hill," pp. 17 and 40.

place. Passing Bunker Hill, for some cause unknown, they reached Breed's Hill at midnight and began to throw up embankments. Faithfully they toiled on till break of day revealed their work to the gaze of the astonished British. The English guns were soon trained on the works, and the sleeping city was awakened by the boom of cannon. But the men on the hill toiled on, and by noon they were well intrenched behind a strong redoubt. The British meanwhile decided to storm the American works.

The British landed—three thousand of them, led by Howe—about three in the afternoon, and began the ascent of the hill toward the American breastworks. It was a daring thing to do—and not only daring, it was foolish and suicidal. They might have gone round to Charlestown Neck and cut Prescott off from supplies and reinforcements, and eventually have forced his surrender. But here was a sample of the bulldog courage of the Englishman. Up they marched, in line of battle, with undaunted courage. Not a shot was fired from the top of the hill; the Americans were coolly reserving their fire. General Putnam rode along the lines and ordered the men not to fire until they could see the whites of their enemy's eyes. When the British had come within a few rods, a flame of fire swept along the American lines and the front ranks of the enemy were cut to pieces. Another volley followed, and another, until the British fell back in disorder, leaving the hillside strewn with dead and wounded.²⁸ Scarcely fifteen minutes elapsed before they had re-formed their lines and made another dash up the hill, only to receive again such a murderous fire from the breastworks as no army, however

²⁸ Fiske's "American Revolution," Vol. I, p. 141.

brave, could have endured. Again they rolled down the hill in confusion—except the hundreds who lay dead or wounded on the slope.

More than an hour now elapsed before the English could rally to a third attack, and it was only a blind tenacity of purpose, untempered by wisdom, that led them to make it at all. They had lost nearly a thousand men, while the Americans had suffered but little. It is true that the latter had almost exhausted their supply of powder, but this the British did not know; and but for this fact any number of assaults would have resulted as did the first two—until the British army would have been annihilated. With wonderful courage they now made a third charge up the hill. The first volleys of the Americans swept down their front ranks as before. But as the assailants neared the crest of the hill, they noted the slackening of the American fire, and Howe determined to charge with the bayonet. Madly the English rushed forward and leaped over the parapet. The Americans were without bayonets to their muskets, and the fight was now an unequal one; but with clubbed muskets and stones they made a valiant stand against the oncoming enemy. Scores of them were cut down, until Prescott, seeing the folly of continuing the struggle, ordered a retreat, and the British were left in possession of the field.

One of the last to leave the redoubt was General Joseph Warren, who lingered in the rear as though he disdained to fly, and this cost him his life. He had joined the ranks as a volunteer and had fought bravely during the day, but with the last English volley he fell dead with a bullet in his brain. Through his death the American cause suffered the most serious loss in a single life during the war.



INDEPENDENCE HALL.

THE OLD STATE HOUSE, PHILADELPHIA, 1905.

From a photograph.

The victory won by the British at Bunker Hill ²⁴ was a costly one. They lost in killed and wounded 1,054 men, one tenth of whom were officers. Pitcairn was among the dead. Howe was wounded in the foot. The victory enabled the English to hold Boston for nine months longer, but the moral effect lay wholly with the Americans, whose loss was 449. At Bunker Hill they had discovered their own prowess, their ability to stand before the regulars; and Bunker Hill became a rallying cry of the patriots in every contest of the war.

WASHINGTON AND THE ARMY

After an overland journey from Philadelphia, that partook of the nature of an ovation, Washington arrived in Cambridge two weeks after the Bunker Hill battle, and the next day, beneath the shade of a great elm tree that still stands as a living monument of that heroic age, he formally assumed command of the Continental army. The new commander was warmly welcomed by the army. The local officers yielded gracefully to his superior authority. Some of them were men destined to achieve abiding fame in the coming war. By far the ablest man among them was Nathanael Greene of Rhode Island. As a farmer boy, and later a blacksmith, he had lacked the means of a classical education, but being fond of books, he acquired much knowledge by private study. He read law, general literature, and especially military tactics. He was a born soldier, and before he knew that he was to spend a portion of his life in the field he was thoroughly familiar with the theory of warfare. He was in most of the battles of the

²⁴ Most of the fighting was done at Breed's Hill, but the higher eminence near by gave its name to the battle.

war, and was implicitly trusted by Washington, to whom he was scarcely inferior in generalship. Greene was a man of rare sweetness of character and purity of morals. In the later years of the war he became the savior of the Southern states; and after peace had come to the newborn republic, he left his native state to spend the evening of his days among the people of Georgia, who, in grateful remembrance of his services, had presented him with a fine plantation. From the hills of New Hampshire had come two men, opposite in characteristics, both of whom have left a permanent name in the annals of their country—John Sullivan, who represented wealth, refinement, and culture, and John Stark, who had shown his mettle at Bunker Hill, and whose dashing vigor, undaunted courage, and almost fierce patriotism mark him as one of the most heroic figures of the war. Here also was Henry Knox, a Boston bookseller, a corpulent man with a winning smile and a jolly laugh, who soon won his way into Washington's heart, and who many years later became a member of his first Cabinet. But the most picturesque figure of all was Daniel Morgan, the leader of the Virginia sharpshooters. Morgan was a giant in size, genial and affable, but fierce and recklessly daring in battle. In youth he had received five hundred lashes for insulting a British officer, but his spirit was unsubdued. He had escaped a murderous band of Indians on horseback after a musket ball had passed through his neck. He now joined the army of Washington and did valiant service for liberty throughout the war. These and many other Sons of Liberty now made the acquaintance of the commander in chief on the Cambridge Common.

Sir William Howe had succeeded Gage as commander of the British army, and his brother, Lord Richard Howe,

was made admiral of the fleet. The contempt that Gage had felt for the Americans had worked to their benefit at Lexington and Bunker Hill. Howe seemed now to entertain the opposite opinion of his enemy; he remained inactive during the summer and autumn, and this again proved a great advantage to the Americans, for Washington needed the time to drill and reorganize his army and to secure an adequate supply of ammunition. The new-made soldiers soon grew tired of warfare, and as their terms of enlistment expired they departed for their homes by hundreds. Re-enlistments were slow, and it was with great difficulty that Washington kept an army about him. He practically disbanded one army and enlisted another—all within musket shot of the British regiments.

Within this period a remarkable expedition to Canada had been undertaken by General Richard Montgomery. From Ticonderoga Montgomery pressed northward in September with two thousand men, and two months later he had possession of Montreal. The expedition promised success. To join this army in Canada Washington had dispatched eleven hundred men under Benedict Arnold, who, after a march of incredible hardships through the Maine wilderness, reached the valley of the St. Lawrence in November. Arnold, whose name in our history was to become famous, then infamous, was a man of military skill and intrepid courage. With Arnold on this perilous journey was another whose name, like his, was yet to be honored, then dishonored, by his countrymen.²⁵ The fragments of the two armies met in the valley of the great Canadian river, and together they made a desperate and fruitless assault on Quebec, on the last day of the year 1775. Mont-

²⁵ Aaron Burr.

gomery was shot dead, and Arnold was wounded; Ethan Allen had been taken prisoner and sent in irons to England; hundreds of the brave Americans perished through cold and hunger and the ravages of smallpox; and, on the whole, the expedition ended the following spring in disastrous failure.

Washington was severely criticised for his long delay before Boston; but he was wiser than his critics. He spent every day in perfecting his army and preparing to strike a blow. By the 1st of March, 1776, a great many of the cannon captured at Ticonderoga the year before had been drawn on sledges all those hundreds of miles to the Continental army at Cambridge. The commander now determined to wait no longer. He sent two thousand men on the night of the 4th of March to fortify the peninsula south of Boston, known as Dorchester Heights, which commanded the city and harbor even better than did Bunker Hill. During the night the Americans kept up an unceasing cannonade from Roxbury and other points for the purpose of drowning the sound of the pick and the hammer, the noise of the moving wagons, and of the dragging of siege guns; and Howe, all unwittingly, aided him in the good work by replying with his cannon.

At the dawn of day the British general opened his eyes in astonishment upon the work that had been wrought in the night on the heights of Dorchester. What could be done? Washington could now destroy every ship in the harbor with shells. Howe determined to storm the works; but his men remembered Bunker Hill, and the memory left them spiritless. Yet something had to be done, and Howe in desperation set apart three thousand men under Lord Percy to undertake the perilous business; but a terrific



THE PATRIOTIC AMERICAN FARMER.
J-N D-K-NS —N ESQ^r BARRISTER at LAW:
Who with Allie Eloquence and Roman Spirit hath Asserted.
The Liberties of the BRITISH Colonies in America.

1732—JOHN DICKINSON—1808.

From a unique impression of a contemporary print published in Philadelphia, circa 1767, in the Library Company of Philadelphia.

storm swept over the harbor and delayed the project until the morrow. Then it was too late; for the American works had been made so strong that only suicidal folly would attempt their reduction by storm. There was but one thing left for the English to do—to abandon Boston and the Boston harbor; and ere the end of the month General Howe, with all the British ships, bearing eight thousand soldiers and nearly two thousand American loyalists, launched out upon the deep and sailed away to Halifax. Thus the old Bay colony, the home of the Pilgrims and the Puritans, the scene of the opening acts of the Revolution, after six years of incessant annoyance,²⁶ was set free from the enemy; and never again, from that day to the present, has a foreign army trod the soil of Massachusetts.²⁷

This was Washington's first stroke in the war, and it was one of his most brilliant. With little loss he had cleared New England of the enemy, and had sent a thrill of joy over the whole country. In their haste the British left behind more than two hundred cannon and great quantities of muskets and ammunition, all of which became the property of Washington's army. Furthermore, the news of Howe's departure did not reach England for several weeks, and meantime vessels were being sent to Boston to supply the wants of the army—and so they did, but not of the British army. They sailed innocently into the harbor, and were captured, and their contents went to increase the stores of the Continental army.

THE GREAT DECLARATION

Let us now go back for half a year and shift the scene

²⁶ It was exactly six years (March 5) since the Boston Massacre.

²⁷ Except in the district of Maine in the War of 1812.

again to Philadelphia, and the scene, covering some eight months, is the most dramatic of all the scenes in the drama. Early in the autumn of 1775 Congress was waiting to hear from the king. In deference to his Majesty, who would not recognize Congress as a legal body, the members had signed their humble petition, not as a body, but separately, as individuals representing their respective colonies. This alone proves their sincerity, and absolutely disproves any intention to strike for independence at that time. The petition reached London in August. The answer came late in October, and it was a stunning blow, even to the most sanguine. The king had but recently issued a proclamation declaring the colonists in a state of rebellion and no longer under his protection. He now declined to receive the petition, or to see the messenger that bore it! And this was not all. The irate monarch, unable to secure at home the troops needed in America, hired a large number of soldiers from the Landgrave of Hesse-Cassel and other German princes, to fight his subjects in America.²⁸ These Hessians, as they were called, were for the most part honest, sincere men, and they came to America only because they were sold by their inhuman masters.

The news of the rejection of their "Olive Branch" petition, of the king's proclamation, and of the hiring of foreign mercenaries, reached America at about the same time,—the last days of October,—and the sensation created was

²⁸ King George had first applied to Catherine II of Russia for troops, but she declined, and sarcastically asked the king if he thought it compatible with his dignity to employ foreign troops against his own subjects. (See Fiske, Vol. I, p. 161.) The whole number of "Hessians" employed during the war was about thirty thousand. Congress offered them grants of land if they would desert the British, and many of them did so.

profound and widespread. It was evident that the king meant to awe the colonists into submission, but this he could not do. He only deepened the resentment against him, and thousands who had been lukewarm were now converted to the cause of the patriots. From this moment Congress assumed a bolder tone. It appointed committees to correspond with foreign nations, advised various colonies to set up governments for themselves, and urged South Carolina to seize all English vessels within its waters. It also opened the American ports to all nations (March, 1776), and advised the colonies to disarm the Tories. No more disclaimers of a desire for independence do we hear, no more talk of reconciliation with the king.

This change of attitude toward the mother land was not confined to Congress. The majority of the people were soon convinced that their sovereign did not love them, and it was not long before the subject of independence, which before had been only whispered in the corner, began to be proclaimed from the housetop. The subject was debated on all sides, and the idea of independence grew steadily during the following winter. But the people were not unanimous. A large minority, probably one third of the people, were in sympathy with the English cause to the end, and it is noteworthy that in New England and the South the tendency to make a final break with the king was more pronounced than in the middle colonies. In January, 1776, appeared a remarkable pamphlet entitled "Common Sense," from the pen of Thomas Paine. This was published broadcast, and its concise, simple, and unanswerable style won thousands to the cause.

Up to April, 1776, all the talk of independence had been private talk. This showed the drift of popular feeling, but

something more must be done to achieve it. North Carolina won the honor of being first to make an official move.²⁹ On the 12th of April that colony instructed its delegates in Congress "to concur with the delegates of the other colonies in declaring independence and forming foreign alliances." This was a move of the greatest importance, and it was but a short time until Rhode Island and then Massachusetts followed the example of their southern sister. The fourth colony to pronounce for independence was Virginia, which went farther than the others by instructing its delegates to propose independence to the Continental Congress. This bold resolution was sent by special messenger to Philadelphia.

Congress during this time was making history rapidly. It had practically assumed sovereign power in its conduct of the war. On the 15th of May, 1776, it passed a set of resolutions, offered by John Adams, authorizing the several colonies to set up state governments independent of the Crown, and several of them, as Virginia and New Jersey, proceeded to do so.³⁰ This was altogether an act of sovereignty, and it rendered necessary, as a logical consequence, a declaration of independence of the Crown. But so vast and so vital did this subject seem—the founding of a nation—that Congress felt that it could not grapple with it alone; on this one subject it could act only at the mandate of its master—the People. The majority of the members had come to favor a final break with England. The leader of this party was Samuel Adams, who, like Otis and War-

²⁹ Frothingham's "Rise of the Republic," p. 504.

³⁰ New Hampshire and South Carolina had framed constitutions on the advice of Congress (November, 1775) that the colonies set up temporary governments.



**TABLE UPON WHICH THE DECLARATION OF INDEPENDENCE WAS SIGNED AND CHAIR OF THE
PRESIDENT OF CONGRESS WHEN IT WAS PASSED.**

Photographed from originals in Independence Hall, Old State House, Philadelphia, 1905.

ren, was among the few that had aimed at independence from the beginning. The opposite party, led by Dickinson, was equally patriotic, but it counseled delay and a further effort toward reconciliation.

The messenger from Virginia arrived early in June. What his message was we have seen. On the 7th of that month Richard Henry Lee, one of the foremost delegates from that colony, rose before Congress and solemnly offered the resolution, in obedience to his constituents, "That these United Colonies are, and of right ought to be, free and independent states, and that they are absolved from all allegiance to the British Crown." The colonies had not all been heard from, and Lee's resolution, after a brief debate, was laid on the table for three weeks. A committee was then chosen to prepare a declaration in a suitable form to be sent forth to the world. This committee was chosen by ballot, and Thomas Jefferson, receiving the highest number, became the chairman of the committee and the writer of the immortal document. By the 1st of July all the colonies except New York had granted the necessary authority to their respective delegations, and on that morning Lee's resolution was taken up. For two days the subject was debated with great vigor, the chief speaker being John Adams. There is no doubt that the speech he made on this occasion was the most powerful delivered on the floor of Congress during the Revolutionary period. Dickinson answered him as best he could, but years afterward he acknowledged that he had been on the wrong side. On the afternoon of the 2d the resolution was passed by the unanimous vote of twelve colonies, New York not voting. Each colony had but one vote, the majority of the delegation casting it.

Jefferson had ere this put the sentiments of Congress into a terse and fitting form; in other words, he had written the "Declaration of Independence" as we know it. This document was now taken up, and, with a few slight changes,⁸¹ was adopted by the vote of the twelve colonies on the evening of the 4th; and this day became the recognized national holiday of the newly founded nation.⁸² New York joined with the twelve on the ninth, and the thirteen colonies were then unanimous. This Declaration practically ignored Parliament and the English people, and laid the entire blame for the dissension on the king.⁸³ In short, nervous, almost passionate sentences, it recounted the political crimes of his Majesty and characterized him as a despot and a tyrant. It pronounced the colonies absolved from all allegiance to the Crown, and invested them with imperial power. The Declaration, whatever its defects (and it is not above criticism), was a true expression of the popular will. The people were not unmindful of the gravity of the step they were taking, of the vastness of the responsibility they were assuming. They knew that a long and bloody war must follow—that it meant untold suffering and sacrifice, vacant chairs at the family fireside, widowed mothers and fatherless children. But they took no step backward; they saw in the dim future a new nation born, commercial and political freedom, self-government. "Amer-

⁸¹ Congress made but two changes of importance; a clause condemning the slave trade and another censuring the English people were struck out. The other members of the committee that framed the Declaration were Franklin, John Adams, Roger Sherman, and Robert R. Livingston — no two from the same colony.

⁸² The Declaration was signed by the members at a later date.

⁸³ Winsor, Vol. VI, p. 246.

ica was never so great," says a famous English writer, "as on the day when she declared her independence."

The news of the great act rang forth to the expectant city in joyful peals of the old bell in the tower of the state-house, and the people were thrown into a state of delirious joy. Post riders were sent in all directions with the great news, and in many places people abandoned themselves to the most unrestrained enthusiasm. In New York a leaden statue of George III was torn from its pedestal in the public square and melted into bullets. The Declaration was read at the head of each brigade in the army, from the pulpit and the public platform; and it was welcomed everywhere with shouts and processions, with the firing of guns and the ringing of bells, with bonfires and illuminations. For fifteen years—since the granting of the writs of assistance in 1761—the people had borne one indignity upon another; they had groped in the dark, unable to divine the next move on the great chessboard. Now there was a goal, a prize for which they were willing to stake their all—their "lives, their fortunes, and their sacred honor."

FORT MOULTRIE AND LONG ISLAND

The first day of the memorable year 1776 was marked by two events that are still remembered in Revolutionary annals—the burning of Norfolk by the fleet of Governor Dunmore, who had been driven to the sea by the infuriated people of Virginia; and the unfurling of the flag over the Continental army at Cambridge. Before the close of this same month, January, General Clinton was sent from Boston to hold the colonies of the South. In May he was joined in southern waters by Sir Peter Parker with an English fleet of ten warships, bearing a body of troops un-

der the command of Lord Cornwallis, who was destined later to be a leading figure in the war. Meantime, in February, a fierce battle had occurred in North Carolina at the mouth of Moore's Creek between a thousand patriots, led by Colonel Richard Caswell, and sixteen hundred Tories, mostly Scots, under the leadership of Donald Macdonald, who had fought for the young Stuart Pretender at the battle of Culloden thirty years before. The patriots were completely successful, routing the enemy and taking nine hundred prisoners, including the commander.³⁴

The fight at Moore's Creek worked like magic on the people of North Carolina, and in a few days ten thousand men were armed and ready to expel the invaders of their soil. Clinton now decided not to land his troops as he had intended. After the arrival of Parker and Cornwallis they moved southward for the purpose of capturing Charleston. But in front of the city on Sullivan's Island the Americans had made a strong breastwork of palmetto logs and sandbags, and this was defended by several hundred men commanded by one of the leading heroes of the war, William Moultrie.³⁵ The English fleet attacked the rude fort on the 28th of June; but the elastic palmetto logs proved an admirable defense, and a terrific bombardment of ten hours did little damage. On the other hand, the American fire was well aimed, and nearly every shot took effect. The flagship received more than twenty shots and was almost

³⁴ Among the prisoners was also Allan Macdonald, kinsman of the commander and husband of the famous Flora Macdonald who had aided the Pretender's escape from Scotland.

³⁵ Congress had appointed General Charles Lee to take general command at the South, but Lee did little else than find fault. He would have stopped the proceedings of Moultrie but for the determined interference of Rutledge, the president of the provincial congress.



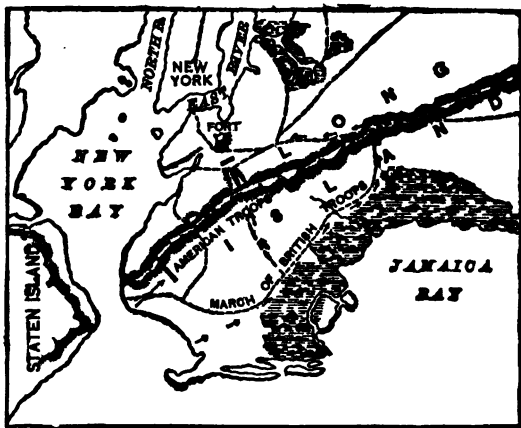
1706 — BENJAMIN FRANKLIN — 1790.

By CHARLES WILLSON PEALE, 1786.

From the original portrait in possession of Mrs. Joseph Harrison, Philadelphia.

wrecked, while every other ship but one was seriously crippled. The heroism displayed in the defense of the fort, afterward called Fort Moultrie, was equal to that of Bunker Hill or any other engagement in the war. It was on this day that Sergeant William Jasper, an illiterate youth who could not even read, made a name for himself in the history of his country by an act of momentary reckless heroism. The flagstaff was broken by a cannon ball, and the flag fell outside the fort. Jasper leaped down the em-

brasure in the face of the enemy's fire, gathered up the fallen banner, and planted it in the sand on the bastion. And the story is still related at the American fire-side as an example of the heroic valor of the men of the Revolution.



After spending three weeks in repairing his ships, Clinton sailed for New York, and the South was free from invasion for nearly three years, when it became the scene of the final conflict of the war.

The success of Washington at Boston and of Moultrie at Charleston sent a wave of exultation over the land; but this was followed by a feeling of depression caused by half a year of unbroken disasters. The British had decided to sever the colonies in twain—to cut off New England from

the South—by occupying New York city and conquering the Hudson Valley. General William Howe came down from Halifax, and was joined by his brother, Admiral Howe, with a powerful fleet from England; and these were joined in the New York harbor by Clinton and Cornwallis from the South. At the same time Sir Guy Carleton was ordered to descend with an army from Canada, to capture Ticonderoga, and to hold possession of the upper Hudson.

In August the British had thirty-two thousand veterans on Staten Island. To oppose this force Washington, who, divining the intention of the enemy to strike New York, had moved his army thither in the early spring, could muster but eighteen thousand men, and many of these were new recruits and in no sense to be compared with veteran soldiers. Before opening hostilities Admiral Howe offered the olive branch, which he had fresh from Lord North, a gracious offer from the king to pardon all rebels who would lay down their arms and assist in restoring order. It was sent by special messenger to "George Washington, Esq." But as "George" Washington, the citizen and planter, had no authority to deal with national questions, and as "General" Washington had not been addressed, he declined to receive the communication. The next act in the drama was the opening of hostilities. Washington occupied Manhattan Island, and Brooklyn Heights, which commanded the city. He had sent Greene to fortify the latter, and now he manned it with half his army under the command of Putnam. Howe determined to assault Brooklyn Heights. With twenty thousand men the English advanced on the American position by different roads, and in the early morning of August 27 they encountered the Americans whom Putnam had sent out under Sullivan, who had taken the



1732—GEORGE WASHINGTON—1799.

BY CHARLES WILLSON PEALE, 1779.

From the original portrait in possession of the heirs of Thomas McKean,
Philadelphia.

place of Greene, owing to the illness of the latter. Sullivan was first attacked by a large body of Hessians under Von Heister, and scarcely had the fight begun when he was assailed in the rear by the main force. Between two galling fires, it was not possible for the Americans to hold their ground, and nearly the whole force, including the commander, were made prisoners of war. Another division of fifteen hundred American troops, under Lord Stirling,* was now assailed by General Grant and a little later by Cornwallis. After four hours of desperate resistance, Stirling succeeded in getting his men across a marshy stream to a place of safety, while he himself was taken prisoner, and the struggle known as the battle of Long Island was over. About four hundred had been killed and wounded on each side, and the British had taken some eleven hundred prisoners.

Washington had witnessed the disaster from a distance with deep emotion. "My God," he cried, "what brave fellows I must lose this day!" Howe closed in around the American fortress, and Washington, expecting an immediate storming of the works, brought troops from Manhattan and raised the defense to ten thousand men. But Howe decided to settle down to a siege. The American commander seeing that he could not stand a siege, determined to elude his enemy by night, and this he did with remarkable skill. The night was favorable, as a dense fog enveloped the moving army. Every manner of craft on the East River, from the yacht to the scow and rowboat, was pressed into the service; and on the morning of the

* This American "Lord" was William Alexander of New Jersey. He had inherited a lapsed Scotch title and was always known as Lord Stirling.

and resolved that Fort Washington³⁹ should not be given up unless through dire necessity. Greene for once distrusted the judgment of his commander and followed the advice of Congress. The mistake was a disastrous and costly one. To hold the fort was impossible; the British army was closing around it and the garrison could not now be withdrawn. On November 17 Howe stormed the fort with almost his entire army, and, after losing five hundred men, forced the surrender. Colonel Magaw, the commandant, had made a valiant stand, but he was compelled to surrender to superior numbers; and he, with three thousand men, together with a great quantity of cannon, muskets, and military stores, so much needed by the Continental army, passed into the hands of the enemy.⁴⁰ The fall of Fort Washington was a terrible blow to the patriots, and Greene never forgot the costly lesson it taught him.

It was now determined to abandon Fort Lee, on the west side of the Hudson. Ere this was done, however, five thousand British soldiers had scaled the rocky walls of the Palisades, and were ready to dash upon the fort; and the garrison under Greene retreated with such haste as to leave their cannon behind. This was not a serious disaster, but it was the last straw to the disheartened patriot army. For several months one misfortune had borne upon another, and

³⁹ Fort Washington had been built early in the spring by Rufus Putnam, afterward "Father of Ohio," a cousin of General Putnam.

⁴⁰ Howe had made a threat that he would put the garrison to the sword if they did not yield without resistance. Magaw answered defiantly and opened the battle. Howe was a humane man and probably had no intention of carrying out his threat. On gaining the fort, however, the Hessians, exasperated at the determined resistance, put a few of the men to the sword, and Washington, viewing the spectacle from beyond the river, burst into tears and sobbed like a child. Fiske, I, p. 220.

thousands of people now came to believe that the patriot cause was lost. Amid the general discouragement one cannot but note the extraordinary fortitude of Washington. His soul was wrung with grief, but there is no evidence that his faith in ultimate success was shaken. His ability as a soldier was of a very high order. Seldom was his army in a condition to meet the enemy in the open field; but equal if not greater skill is required in conducting a retreat, and in wearing out a large army with a small one; and in this Washington was a master with few equals in history. Washington's diminished and discouraged army now lay at Hackensack, New Jersey, and the troops were leaving for their homes as fast as their brief enlistments expired. The commander had urged upon Congress the importance of long enlistments, and that body had complied, but their action had not yet borne fruit.

He had with him but six thousand men, having left seven thousand with Lee at North Castle, in New York, with orders to cross the Hudson and join him as soon as practicable. But Lee hesitated; and Washington, moving on to Newark with Cornwallis in pursuit, sent messengers again and again, urging Lee to join him with all possible haste. Lee sent excuses, argued, dissembled, pretended to misunderstand, and refused to move; and the commander in chief was forced to his inglorious retreat across New Jersey with but a fragment of his army.

Charles Lee requires a little special attention at this point. He was English born, the son of a British officer, and had entered the army when only a boy. He served in various European wars and in the French and Indian War in America. Having returned to Europe, he again came to America when he saw that the people were about to grapple

with the mother country, and offered his services to the patriot cause. But there is nothing in his career to show that he cared for the cause or that he possessed any special ability as a commander. Nevertheless he succeeded, by constant boasting, and by reckless criticisms of military affairs, in making the American people believe that he was a great military genius. Tall, hollow-cheeked, and uncomely, he was irascible, selfish, pompous, and censorious; but these qualities were regarded as but pardonable eccentricities of a great man. All classes, including Congress and the commander in chief, at first greatly overrated Lee. In truth, he was an adventurer, a seeker of fame and fortune, and, as revealed by his private letters unearthed in London nearly a hundred years later, a traitor to the American cause.

While Washington was fleeing before the British regulars and appealing to Lee for the other half of the army, the latter was plotting for the overthrow of his chief, whispering slanders, and writing to governors of states and members of Congress, asserting that the recent disasters were due to Washington's incompetency, and that it would all have turned out differently if his advice had been heeded. To Dr. Rush of Philadelphia Lee declared in substance that he could bring order out of chaos if he were made dictator for one week. Many of the uncritical, in whose minds Washington's star had recently waned, firmly believed Lee to be the greater general of the two. Lee was still lauded throughout the North as the hero and victor of Fort Mifflin, whereas he had done nothing in that noble defense but scold and find fault while beyond the reach of the British guns. Such was Charles Lee, the senior major general of the army since the retirement of Artemas Ward.

The hour was dark and threatening indeed. Half the

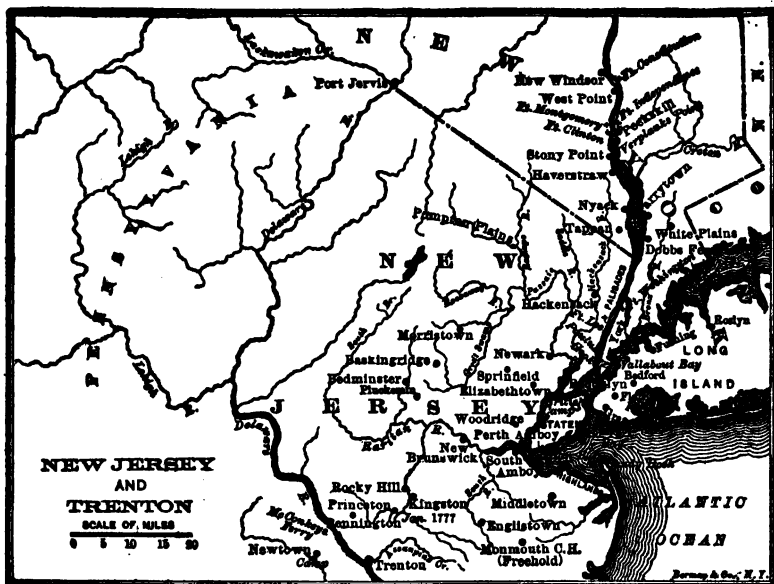
army was fleeing like a hunted fox across the Jersey plains, while the men were departing for their homes by hundreds, believing the cause to be a lost one; the other half was held inactive by a traitor a hundred miles away. Furthermore, the gloomy outlook had led some three thousand of the leading Jersey farmers to accept Howe's latest offer and to swear allegiance to the Crown. Surely the infant life of the republic quivered in the balance. At this dark hour Congress came to the rescue. Silver and gold it had none; but it could do something, and so it did. It made a master stroke for liberty, and in the same act answered Lee's intrigue and gave to the country its opinion of Washington. It made him military dictator for six months.⁴¹

Washington had reached the bank of the Delaware before Lee moved hand or foot to join him. Then Lee crossed the Hudson and leisurely proceeded westward. But ere the middle of December, after he had spent a night at a village tavern, and just as he was finishing a letter to Gates in which he spoke of Washington as "damnable deficient," a band of British riders did the American people a lasting service by making General Lee a prisoner. Thus a large portion of the army, released from the baneful influence of this designing self-seeker, became again useful to the commander in chief.

Howe had fully expected to catch his prey in West Jersey; but the unwearied vigilance of Washington had saved the American army from capture, and landed it safely on the western bank of the Delaware. Intense was the excitement in Philadelphia when it was learned that the patriot

⁴¹ This action was taken the day after Washington's success at Trenton, to be noticed later, though Congress had not yet heard of the victory.

army was fleeing before the enemy toward the city. Congress fled to Baltimore, all business was suspended, and the stores and schools were closed; excited multitudes gathered in the streets, and a few days later the roads leading from the city were crowded with all sorts of vehicles bearing women and children and household goods to places of refuge.⁴² A great mass meeting, held in the statehouse



yard, was addressed by Thomas Mifflin, and the result was that several hundred men shouldered their muskets and set out to join the army.

The patriot cause had now reached its lowest ebb. Howe believed that armed resistance had collapsed, and retired to New York, while Cornwallis prepared to take ship for England. New Jersey was held in the firm grasp of the British.

⁴² Winsor, Vol. VI, p. 371.



THE CAPTURE OF THE HESSIANS AT TRENTON.

BY JOHN TRUMBULL, 1793-1799.

From the original painting in the Trumbull Gallery, Yale University, New Haven, Conn.

Count Donop was at Bordentown with a body of men; a small force was stationed at Princeton, another at New Brunswick; while a larger body, some twelve hundred Hessians under Colonel Rall, occupied Trenton.

But the dawn was beginning to break upon the darkness. The volunteers from Philadelphia arrived in camp; Sullivan came with the troops that Lee had held so long at North Castle; and Horatio Gates joined the army with two thousand men, sent by Schuyler from the upper Hudson. Washington now determined on a bold stroke. He would recross the Delaware by night and attack the Hessians at Trenton. He chose the most opportune time,—the day after Christmas,—judging wisely that after the festivities of the holiday the soldiers would be ill prepared for defense. The whole project was planned and executed by Washington. Gates, who was expected to assist, had gone off to Baltimore to intrigue with Congress; Putnam, who was guarding Philadelphia, could spare no men for the enterprise. Ewing and Cadwalader, who were ordered to cross the river at a lower point and cut off the enemy's retreat, failed to do so on account of the floating ice. But no obstacle could daunt the commander in chief. At the twilight hour, as the earliest stars began twinkling from a clear sky on that cold Christmas night, the little army of twenty-four hundred men began their struggle with the ice floes and the rapid current. Encumbered with their cannon and baggage they occupied many hours in crossing. By midnight the sky was overcast with clouds and the snow was falling, and the remaining hours were intensely dark. But the men labored on with brave hearts and at four o'clock, without the loss of a man, the army was safely landed on the Jersey shore. This was at Mackonkey's Ferry, nine miles above

Trenton, and the march down the river was one of extreme suffering, for the snow had turned to rain and hail, and the roads were in a dreadful condition. In two divisions, commanded by Sullivan and Greene, the army reached the little capital by converging roads almost at the same moment, and began a simultaneous attack. The enemy was wholly unprepared. Rall was roused from his bed to take command, but he soon fell mortally wounded. The battle was sharp and decisive, and was all over in three quarters of an hour. The American victory was complete. Less than two hundred Hessians made their escape; a hundred or more were killed and wounded, while about nine hundred and fifty were made prisoners. Six cannon, twelve hundred muskets, and other stores were also taken. The American loss was two killed, two frozen to death, and a few dozen wounded.

The victory at Trenton astonished everybody, so closely had Washington guarded the secret of his intentions. As the news spread through the country the rejoicing was loud and unrestrained. The captured Hessians were marched through the streets of Philadelphia to give the people ocular proof of the American triumph. The people thanked God for the victory, and took courage to renew the struggle for liberty. "The Lord of hosts has heard the cry of the distressed," exclaimed the Lutheran patriarch Mühlenberg, "and sent his angel to their assistance."⁴⁸

Cornwallis, on hearing of the American victory, gave up his visit to England and hastened to Trenton. Washington had recrossed the swollen river with his spoils, but a week later we find him again at Trenton with a larger and more hopeful army. The terms of enlistment of a large number

⁴⁸ Winsor, Vol. VI, p. 376.



1734 — ROBERT MORRIS — 1806.

BY CHARLES WILLSON PEALE, 1790.

From the original portrait in the Pennsylvania Academy of the Fine Arts,
Philadelphia.

of his men expired with the year 1776, but by pledging to them his private fortune (an example followed by John Stark and others) and by the use of \$50,000 placed in his hands by Robert Morris, the great financier of the Revolution, he induced them to remain. Cornwallis had reached Princeton, and on the 2d of January he began his march upon Trenton with eight thousand of his best troops. Washington had taken a stand on the banks of a little river south of the town, the Assunpink. But he saw that his force was much inferior to that of his antagonist, and he dared not risk a battle. The British reached Trenton late in the afternoon. Cornwallis now determined to throw his entire force against Washington, crowd him to the bank of the Delaware, and capture his whole army. But his men were weary and it was evening. He decided to wait till morning, never doubting the success of his plans. He retired in high spirits, saying, "At last we have run down the old fox and will bag him in the morning."⁴⁴ But the fox was too wily to be caught. Keeping his camp-fires brightly burning all night, and a few men busily throwing up embankments within hearing of the British sentinels, Washington silently removed his entire army around the left wing and to the rear of his enemy, and by daylight they were marching happily toward Princeton. As the army neared the town a detachment under General Hugh Mercer encountered some two thousand British under Colonel Mawhood on their way to join Cornwallis. An immediate conflict ensued. After a fierce opening fire, the British rushed upon the patriots with the bayonet; and the latter, being without bayonets, fled through an orchard, leaving their valiant commander mortally wounded on the ground. As the English were pursu-

⁴⁴ Fiske, Vol. I, p. 232.

ing the fugitives they came to the brow of a hill where they met the main army under Washington, who had heard the firing and was hastening to the spot. The British halted, and the battle became general.

At this battle of Princeton Washington signally displayed that marvelous physical courage which characterized him. The Pennsylvania militia wavered and seemed on the point of breaking, when the commander, to encourage them, rode to the front in the very midst of the flying bullets and drew rein within thirty yards of the enemy's lines. One of his aids drew his cap over his eyes that he might not see his chieftain die. Next moment a cloud of smoke enveloped rider and horse and hid them from view. A shiver of dread ran through the patriot ranks, but as the smoke cleared away and the commander sat unhurt, a wild shout of joy arose from the army.

The British were soon put to flight, and the battle was over. Cornwallis was amazed to discover, on the morning of January 3, that his prey had again escaped him. The distant boom of cannon at sunrise told the story. He broke camp and made a dash for Brunswick to save his stores collected there, while Washington moved northward to Morristown and went into winter quarters in a strong position.

In three weeks Washington had done a marvelous work for liberty. Frederick the Great is said to have pronounced his achievements in those three weeks the most brilliant in military history. In that time Washington, with a small, half-trained, half-hearted army, had won two victories, had taken a large number of prisoners, had greatly increased the size of his army, and, above all, had turned the tide of popular feeling and infused a new and living hope into

the hearts of the patriots from Maine to Georgia and from the mountains to the sea. The star of Liberty, that had seemed so near its setting, was mounting again toward the zenith.

NOTES AND ANECDOTES

The Loyalists.—As noted in the text, probably one third of the people of the thirteen colonies remained faithful to the king and opposed armed resistance from the beginning. These are often called Tories, but the term "loyalists" is better, as they were not in full sympathy with the Tory party in England. Usually they were headed by the Episcopal clergy and the officers appointed by the Crown. A large majority of them were native born and were sincere lovers of their country; but their love for the king and their pride in being a part of the British Empire led them to oppose independence. There were loyalists in every part of the country. In New England they were few; in Central New York they were many, but still in the minority; so in New Jersey and Pennsylvania, while in the South, especially in the newly settled parts of the Carolinas and Georgia, at least half the people remained loyal to the king. Many of the loyalists were passive; they wished to be let alone; their attitude was a negative one. But the patriots were aggressive and often violent. In the early years of the war they were usually content with disarming the loyalists and forcing them to make a public disavowal of their allegiance to the king; but as the years passed they became more violent, drove the loyalists from their homes, treated them to tar and feathers, and so on. In Philadelphia two were hanged; in New Jersey several were sentenced to death; but were pardoned by the governor. The loyalists were aggressive also at times. On one occasion they made a plot against the life of Washington. (See Van Tyne's "Loyalists in the Revolution," p. 127.) The Congress and the commander in chief took measures to suppress the enemies of the country, as they were called, and various state legislatures passed test acts requiring all "suspects" to take an oath to aid the cause of the patriots. The states also passed confiscation acts. In New York alone property to the amount of \$3,600,000 came into the possession of the state through the confiscation law. *Ibid.*, p. 280.

Nathan Hale.—After the Continental army had reached Harlem Heights above New York, Washington, desiring to be made acquainted with the force and probable purpose of the enemy, applied to Colonel

Knowlton for some capable man who would be willing to attempt the dangerous task. Knowlton chose Nathan Hale, a brilliant young captain, aged twenty-one, a graduate of Yale and, before the war, a Connecticut school-teacher. Hale volunteered his services and crossed the sound at Fairfield in September, 1776, disguised as a school-teacher. He reached New York, made a careful study of the enemy's fortifications, drew plans, and was waiting for the ferry to return by way of Brooklyn when he was betrayed by a Tory kinsman who recognized him. His arrest followed, and Howe turned him over to the inhuman provost marshal, Cunningham, who hanged him the next day without a trial, and even refused him the services of a clergyman or the use of a Bible. Hale's dying utterance is well known: "I regret that I have but one life to give for my country." While Hale was engaged in this business, Colonel Knowlton, who had sent him, was killed in the battle of Harlem Plains.

Washington in Love.—While encamped at Harlem Heights, Washington occupied a house that must have brought him a train of recollections. In 1756 he had been sent from Virginia to Boston to confer with Governor Shirley, and he was received with great respect along the route, for his exploits under Dinwiddie and Braddock were everywhere known. When he reached New York he became the guest of a Mr. Robinson at the latter's mansion. Mrs. Robinson's sister, Mary Phillipse, a beautiful heiress, was staying at the house, and the future father of his country was greatly smitten with her charms. On his return he again stopped at the mansion and remained as long as duty would permit. He wished to make her his bride, but lacked the courage to make the proposal. He confided his secret to a friend in New York, and this friend kept him informed by mail of the movements of the young lady, and at length informed him that she was to be married to Colonel Morris. Three years later Washington married Mrs. Martha Custis, *née* Miss Dandridge. With the coming of the Revolution, Colonel Morris, whose country seat was on Harlem Heights, went with the Tories, and Washington now occupied his vacated house as headquarters.

Israel Putnam.—General Putnam, farmer, innkeeper, and soldier, though almost threescore at the opening of the war, and never a master of military science, was yet one of the most heroic and picturesque figures of the war. He commanded a body of rangers in the French and Indian War, was present at the capture of Montreal, and of Havana, Cuba, and was a colonel in Bradstreet's Western expedition against Pontiac in 1764. In the French War he was taken captive by the Indians, bound to a tree till the battle had ceased, and then taken into

the forest to be tortured to death. He was stripped and tied to a sapling; and the fagots piled at his feet were already ablaze when a French officer dashed through the savage horde, rescued Putnam, and carried him to Montreal, whence he was exchanged.

The best known and perhaps the most daring feat in Putnam's checkered life was his riding down a precipice at West Greenwich, New York. He had but one hundred and fifty men, and was attacked by Governor Tryon with ten times that number. Ordering his men to retire to a swamp inaccessible to cavalry, he, on the near approach of the enemy, rode down a hundred stone steps that had been cut into the solid rock for foot passengers.

Captivity of Ethan Allen.— In the early part of the war, and not long after his bold capture of Ticonderoga, Ethan Allen, as stated in the text, was made prisoner and carried in irons to England. His treatment was brutal in the extreme, but his spirit was unconquered. On one occasion he knocked an officer down for spitting in his face. The captain who brought him back to New York, however, was a humane man, and Allen became greatly attached to him, and saved his life by preventing a mutiny among the prisoners on the ship. Allen was released on parole, the condition being that he must not leave New York. Meantime every effort was made to induce him to join the British ranks, but no power could move him. Among other things he was offered a large tract of land in New Hampshire or Connecticut, when the country should be conquered. His answer was characteristic. He said it reminded him of an incident related in Scripture, where the devil took Christ to the top of a high mountain and offered him all the kingdoms of the world, "when all the while the damned soul had not one foot of land on earth."

CHAPTER XIV

THE REVOLUTION—FROM SARATOGA TO MONMOUTH

THE episode in New Jersey, resulting in the retreat of Washington across the state and his later success at Trenton and Princeton, did not belong to the immediate general plan of the British ministry. That body, of which Lord George Germain, the secretary of state, was the mouthpiece and one of the leading spirits, had set its heart on dividing the colonies into two parts by conquering the great valley of the Hudson River. A year had passed since this work began, and the conquest of Manhattan Island alone had been accomplished, while all the vast region to the north, even to the Canadian border, was still held by the Americans. The British now determined on a desperate and final

STRUGGLE FOR THE HUDSON VALLEY

It was decided that an army should invade New York from Canada, and that it should be commanded by Lieutenant General John Burgoyne, who had succeeded Guy Carleton, the governor of Canada, in command at the north. From this army a detachment of a thousand men under St. Leger was sent by way of Lake Ontario to land at Oswego, to proceed inland, capture Fort Stanwix on the upper Mohawk, sweep down the Mohawk Valley, and eventually join Burgoyne at Albany. From the south, General Howe was to move up the Hudson, destroying



1728—JOHN STARK—1822.

By SAMUEL FINLEY BREESE MORSE, 1820.

From the original portrait in possession of C. F. M. Stark, Esq., Dunbarton, N.H.

every vestige of opposition to the Crown, and at length to join his brethren in the general festivities at Albany. This was the plan for the summer of 1777. It would divide colonial America; it would sever New England from the South, break down the rebellion, and bring back the erring colonists to their former allegiance. And it was perfectly easy to carry out—on paper.

The defeat of the whole enterprise had its origin in a little slip of the memory amounting to criminal negligence on the part of the one who, above all men, except his sovereign, desired the conquest of America—Lord George Germain. He had sent Burgoyne peremptory instructions to proceed down the Hudson, and the instructions to Howe to move up that river were equally peremptory. But before the latter order was signed he made a holiday excursion to the country, and on his return he forgot all about the paper, which lay in a pigeon-hole for several weeks. The delay was fatal. At length the mistake was discovered and the order sent; but when it reached Howe, late in August, he was far from New York,—he had sailed to the Chesapeake, and was moving northward to meet Washington on the banks of the Brandywine. Who can measure the importance to American liberty of this little blunder? The fate of Burgoyne hung on the coöperation of Howe, and the fate of the Revolution hung on the success or failure of this campaign.

During the closing days of June, 1777, General Burgoyne, with a well-trained army of eight thousand men, was sailing in high spirits up Lake Champlain toward Fort Ticonderoga. Four thousand of these were British regulars, three thousand were Hessians or Germans, a few were Canadians, and some five hundred were Indians.

Burgoyne was a gentleman of culture and education, eloquent, generous, and brave. He was a member of the British Parliament, as were several others in his army. Among his subordinates were General Phillips, an artilleryist with an enviable reputation; General Fraser, a veteran commander of much ability; and, not inferior to either, Baron Riedesel, who commanded the Germans. The American commander at the north was General Schuyler, who had recently placed Arthur St. Clair in command of Ticonderoga. The garrison numbered three thousand men, and the fort was considered impregnable. But scarcely had the British landed near the fort when they scaled a rocky height—Mount Defiance, as it was afterward called—which commanded the fort, and which had been considered inaccessible. The Americans were completely surprised when they beheld the British and the frowning cannon on the brow of the hill overlooking the fort. The only thing to do was to abandon the place with all speed. In the darkness of that night St. Clair embarked his little army upon the lake, and they might have escaped untouched but for the light of a burning house that told the story of the flight. Before the coming of dawn Fraser and Riedesel were in hot pursuit, and the British flag was waving again over the walls of the noble fort from which it had been so uncereemoniously dragged by Ethan Allen two years before. After several days of flight and a few sharp encounters with their pursuers, the Americans joined Schuyler with the main army at Fort Edward.

The news of the fall of this citadel of the Hudson Valley soon reached England, and occasioned the greatest rejoicing among the Tory party. The end of the rebellion was believed to be at hand. The king lost his self-control and,



1723—THE RIGHT HONORABLE JOHN BURGOYNE—1792.

BY THOMAS HUDSON, 1759.

From the original portrait in possession of the Hon. Mrs. George Stöpford, Hampton Court Palace, London, England.

rushing into the queen's apartments, clapped his hands and shouted, "I have beat them! I have beat all the Americans!"⁴⁵ On the other hand, the Americans were deeply depressed by the news. Schuyler and St. Clair were fiercely denounced for not having fortified Mount Defiance, and St. Clair was tried the next year by court-martial, but acquitted.

The strange fact remained, which neither the English nor the Americans at that moment saw, that Burgoyne had done nothing toward conquering the Hudson Valley. He had done himself injury rather than good. He had captured the great fort, but the Americans did not need it; and it became a burden to its possessor, as a goodly portion of his army was required to hold it.⁴⁶

But, what was still more important, the people of New York and New England were aroused as never before since the battle of Lexington, and they soon began pouring into Schuyler's camp by hundreds. Washington sent Arnold and Lincoln with reinforcements and Daniel Morgan with his five hundred Virginia sharpshooters. Schuyler rose to the occasion. He removed all the cattle and provisions from the country round and forced the enemy to draw his daily bread from Canada and England; he felled trees and otherwise obstructed the roads, destroyed all bridges, and placed great stones and logs in the fords of the stream. Thus he obstructed the progress of the enemy, while his own army was daily increasing. Burgoyne was twenty-four days marching twenty-six miles, and every soldier that fell by the way—and they were many—was a net loss, for none could be replaced. It was now the middle of August, and ere the close of that month an irreparable double calamity

⁴⁵ Fiske's "American Revolution," Vol. I, p. 271.

⁴⁶ *Ibid.*, p. 272.

befell the British in the battles of Oriskany and Bennington.

Oriskany was, without exception, the bloodiest single conflict in the war of the Revolution. It occurred near Fort Stanwix, at the head waters of the Mohawk, and General Nicholas Herkimer was its hero. Herkimer was an aged German resident of that country, a veteran of the French War and now commander of the county militia. Hearing of the approach of St. Leger, he raised an army of eight hundred men for the relief of Fort Stanwix. He started toward the fort and fell into an ambush at Oriskany, about eight miles from the place. It was in a deep ravine crossing the road. Here the army of St. Leger, led by Sir John Johnson, son of the famous Sir William of earlier days, and Joseph Brant, the great Mohawk chieftain, met the army of Herkimer. Nothing more horrible than the carnage of that battle has ever occurred in the history of warfare. Men grappled and shot and stabbed and cursed and dashed out one another's brains. To add to the lurid horror of the scene, a terrific electric storm broke forth, and the thunders of heaven pealed answers to the booming artillery below. The livid lightning lit up the scene in quick flashes, and the rain poured in torrents; but the men fought on like demons. A ball killed Herkimer's horse and gave him a mortal wound; but he placed his saddle at the foot of a tree, sat on it, and continued shouting his orders to the end of the battle.⁴⁷

At length, when both armies were exhausted and one third of each had been cut down, the British and Indians left the Americans in possession of the field. Two weeks later Benedict Arnold came to the rescue of the fort, and, by a most clever ruse, frightened St. Leger and his Indian

⁴⁷ Fiske's "American Revolution," Vol. I, p. 290.

allies from the country. So scared they were, it was said, that they scarcely stopped running till they reached Canada.

Burgoyne's army was beginning to suffer from hunger. At the foot of the Green Mountains, in the village of Bennington, were patriot stores and ammunition, and the British commander decided that he must have them. On August 13th he sent five hundred Germans and one hundred Indians with two cannon to make the capture. Perhaps Burgoyne did not know that John Stark was in the neighborhood. Stark had done valiant service at Bunker Hill and Trenton, but he had retired to his Vermont home because Congress had promoted others and not him, as it should have done. But now he redeemed himself, and posterity remembers him more for Bennington than for anything else. His speech to his men is well known, "They are ours to-night, or Molly Stark is a widow"—and so they were, and Molly Stark's husband survived the battle for forty-five years.

The British troops were attacked on three sides, Baum, their commander, was mortally wounded, and the whole force was made captive after a desperate battle. Meanwhile Colonel Breyman had been sent with several hundred men to the rescue of Baum. But at the moment of his arrival Colonel Seth Warner reached the scene with five hundred more Green Mountain boys eager for battle. The fight was renewed and lasted till night, when Breyman, with but sixty or seventy men, escaped in the darkness. The Americans captured in all seven hundred men and a thousand stand of arms. Forty Americans and two hundred of the enemy were killed.

Burgoyne's difficulties were now multiplying. His provisions were well-nigh exhausted, and his ranks were dimin-

ishing while those of his enemy were increasing. Now came the news of the disaster at Bennington, and ere he had recovered from the shock he heard of Oriskany and of the disgraceful flight of St. Leger. His only salvation lay in coöperation from the South, and for news from that quarter he waited daily, but he waited in vain.

With sincere regret we must now record an act of Congress by which Schuyler was superseded by Gates in command of the army. The latter was a self-seeker, and his intrigues in Congress had at last been successful. Schuyler was a truer patriot, an abler soldier; but he had enemies, and they now gained the object they had sought. So perfectly had Schuyler managed that the Americans must have won, even without a commander, and Gates came only to receive the laurels that had been gathered by other hands. Schuyler bore the humiliation like a true patriot and offered to serve Gates in any capacity.

Burgoyne's condition grew worse day by day. Lincoln harassed him from the rear, the main army of the patriots confronted him, while the men of New Hampshire "hung," to use his own words, "like a gathering storm on the left." To retreat to Canada was impossible; to risk a battle was perilous, as the Americans now numbered fifteen thousand; and he longed for Howe,—but Howe was far away on the banks of the Brandywine. At length, in desperation, the gallant Burgoyne determined to hazard a battle. He led his army across the Hudson in mid-September, and on the 19th a desperate battle was fought. The Americans were strongly intrenched at Bemis Heights, which had been fortified by the Polish patriot, Kosciusko. Gates had intended to act wholly on the defensive, but the dashing Arnold begged and received permission to advance upon the enemy.



1733—PHILIP JOHN SCHUYLER—1804.

By JOHN TRUMBULL, 1792.

**From the original portrait in the Trumbull Gallery, Yale University,
New Haven, Conn.**

With three thousand men he met the British, at Freeman's Farm.⁴⁸ After a sharp fight Fraser attacked Arnold fiercely, and later in the day Riedesel joined him. Arnold sent to Gates for reinforcements, but the latter, with more than ten thousand idle troops about him, refused; and Arnold, though with inferior numbers, again dashed into the battle and kept it up till nightfall. Neither side could claim a victory; but the advantage lay with the Americans, who had lost but three hundred men, while the enemy's loss was nearly twice that number.⁴⁹

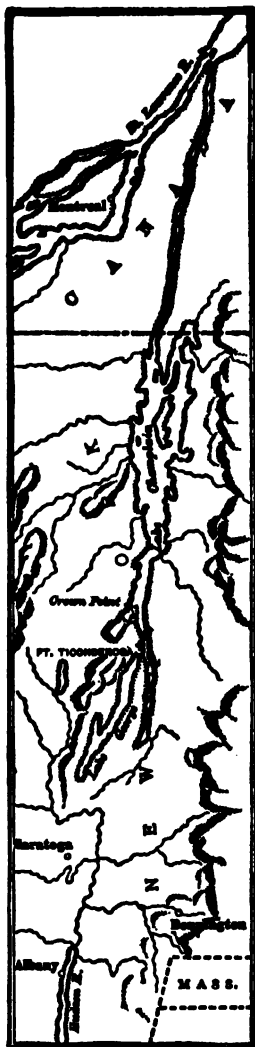
The conduct of Gates in refusing Arnold reinforcements was outrageous, and can be explained only on the ground of jealousy. In the account of the battle he sent to Congress, Gates took the entire credit to himself, and did not even mention Arnold's name! The army, however, sounded his praises, and this awakened the envy of Gates. A quarrel arose between the two, and Gates dismissed Arnold from his command. The latter was about to leave for Pennsylvania, but his brother officers begged him to remain, and he did so.

Eighteen days after this battle a second took place on the same ground as the first. Burgoyne found that he must cut his way out of the trap in which he was placed, or perish, and he had little hope of success. He had heard that the dashing Arnold was now without a command, and he had little respect for Gates, whom he called "an old midwife." With fifteen hundred picked men he attempted to turn the American left, but was driven back at every point by Morgan's sharpshooters and the New England regulars.

⁴⁸ Of the four names by which this battle is known the reader can take his choice: Saratoga, Stillwater, Bemis Heights, and Freeman's Farm.

⁴⁹ Some writers make the losses much greater.

Arnold was watching the conflict from a distance and could endure being a spectator no longer; he leaped upon his charger and was soon in the midst of the battle. The men shouted for joy at the sight of their old commander, and from then to the end of the day it was Arnold's voice that they obeyed. The British were thoroughly defeated, and General Fraser, one of Burgoyne's ablest commanders, was mortally wounded. As evening was closing the battle, a wounded German soldier lying on the ground fired at Arnold and shattered his left leg, the same that had been wounded at Quebec. A rifleman who saw the incident rushed upon the German with his bayonet and would have run him through the body, but Arnold cried, "For God's sake, don't hurt him! he's a fine fellow!" and the man was spared. It has been well said that this was the hour when Benedict Arnold should have died.⁵⁰ Had it been so, what a name he would have left in the annals of America! but how painful for the historian to record the later career of this daring, brilliant soldier.



The British army was now weary unto death, and a braver

⁵⁰ I have borrowed the account of this incident from Fiske.



THE SURRENDER OF BURGOYNE.

BY JOHN TRUMBULL.

From the original painting in the Trumbull Gallery, Yale University, New Haven, Conn.

army never wielded the sword. The Hudson was guarded at every point by the Americans, who were fast closing around their intrepid foes. The wife of General Riedesel, with her three little children, had followed the fortunes of her husband through the war. For six days she crouched in the cellar of a large house with her children, her maids, and several wounded officers, while the Americans, thinking the place a lodging for officers, trained their guns on the house, and eleven cannon balls passed through it in one night.

General Fraser died soon after the battle. He had requested that his body be buried at the twilight hour on a green hill not far from the river. This was done, and as the little group of officers stood sadly around the grave of their fallen comrade, the scene was rendered more solemn and awful by the peals of the American artillery that mingled with the broken voice of the chaplain.⁵¹

What now could the British army do but surrender? It was practically surrounded by the Americans, whose cannonade was incessant, day and night; its supplies were cut off, and there was no hope of rescue. Sir Henry Clinton⁵² was at last moving up the Hudson with a small army, and had won some success; but it was not possible for him to reach Burgoyne before the surrender. Had he done so the result might have been the surrender of two British armies instead of one, for the patriots were now twenty thousand

⁵¹ Baroness Riedesel's diary.

⁵² Clinton had sent a messenger to Burgoyne with a letter written on very thin paper and encased in a silver bullet. At Kingston the messenger was caught. He swallowed the bullet, but it was recovered by means of an emetic. The messenger was hanged, and Burgoyne waited in vain for the news from Clinton.

strong and were still swarming in from the valleys and the hills.

Burgoyne asked for a conference with Gates on October 12. The latter at first demanded unconditional surrender, but the English general refused and declared that his men would first fall upon their foe and accept no quarter.⁵³ Gates then gave better terms. The British were permitted to stack their own arms and were promised transportation to England on the condition that they must not serve again during the war.⁵⁴ The number of men surrendered was 5799, with all the cannon, muskets, and munitions of war; but the entire British losses from the beginning of the campaign exceeded ten thousand men.

After the surrender the American army melted away as rapidly as it had assembled, leaving but a nucleus of regulars. The militia returned to their homes, feeling confident (and the feeling was shared throughout the country) that the crisis of the war was past and that the complete independence of America must in the end be achieved.

FOREIGN AID

The crisis of the Revolution had passed before the colonists received any substantial military aid from abroad, and they would probably have won their independence had they been left wholly to themselves. Nevertheless the help that at length came was received most gratefully. France was the first to stretch forth a helping hand. But the motive of the French was not the noblest of motives. It was not a feeling of friendliness that prompted their action; they scarcely knew the Americans except as a foe whom they had

⁵³ See Creasy's "Fifteen Decisive Battles," "Saratoga."

⁵⁴ Congress declined to carry out these terms fully. See note at the end of the chapter.

met on the field of battle. Nor was it a desire to strike a blow in the cause of Liberty struggling to be born; France was at that moment the most king-ridden country in Europe. What prompted the French government to interfere in behalf of the patriot cause in America was chiefly a desire to cripple and wound her old enemy, who had robbed her of her own fair dominion in the New World.

This was the chief motive of the French; but there was another. In addition to a certain romantic interest in the American struggle, felt in the higher circles of French society, there was a spirit of unrest throughout the nation that only waited an opportunity to vent itself. Taught by such men as Voltaire and Rousseau, Montesquieu and Turgot, the French people had come to that state of discontent which first found expression in a desire to aid the struggling Americans, and later in the violent Revolution that swept over their own land.

Scarcely had the breach between England and her colonies begun when the French sought to widen it. Early in the contest Arthur Lee, then living in London as the agent of Virginia, secured from the French government, under the name of a fictitious business firm, military stores to the amount of \$200,000. Congress then sent Silas Deane to join Lee, and it was not long until French vessels had landed in America two hundred heavy guns, four thousand tents, a large supply of small arms, and clothing for thirty thousand men. This was done secretly, as France was not yet ready to break with England.

Soon after the Declaration of Independence had been adopted Congress sent Franklin to join Lee and Deane in Paris. Before the opening of the war Benjamin Franklin alone, of all the American people, enjoyed a fame bounded

only by civilization. He had won a great name as a philosopher and writer of epigrams, and now he was about to prove himself one of the leading diplomats of his generation. Every class of French society, from the nobility to the peasant, now paid homage to the genius who could "snatch the lightning from the sky and the scepter from tyrants." ²² It was certainly a fortunate hour for America when Franklin was chosen for this important mission.

For more than a year he labored with unwearied zeal at the French court to secure the recognition of the United States. At first the French were unwilling to go to such lengths, but Vergennes, the foreign minister, made a secret arrangement to convey to America two million francs a year in quarterly payments, to be repaid eventually in merchandise. Three ships laden with army stores were also sent; two of them arrived in safety, but the third was captured by the British.

A year passed, and during this time Franklin and his companions were steadily molding French opinion in favor of America. At length, late in the autumn of 1777, the news of the surrender of Burgoyne reached Paris, and the excitement was scarcely less there than in America. The popular enthusiasm reached the court, and ere the close of December the king sent word to Franklin that he was ready to acknowledge the independence of the United States. His haste was doubtless caused by a fear that the English would now offer terms acceptable to the Americans. Negotiations were immediately begun, and on February 6, 1778, a secret treaty was concluded between the two countries—a compact of friendship to be made public, and a treaty of alliance to be

²² It was Turgot who said of Franklin, *Eripuit cælo fulmen sceptrumque tyrannis.*

made public only when England declared war against France. By this treaty the United States made a solemn agreement not to make terms with England until that country had acknowledged its independence.

And France won the American heart. For long years before the Revolution, the filial love of the colonists for Great Britain was unbroken, while there was a feeling of dislike toward France, the rival claimant of the soil of North America, and toward Frenchmen, whom they had often met on the field of battle. But in the fifteen years following the Stamp Act, this feeling was reversed, and the effects of that change have not been eradicated to this day.⁵⁶ It is true that America has come to love old England again, as it should; but France has never been forgotten for her timely aid in this trying hour. And this sympathetic bond is strengthened by the remembrance of the personal service of that brilliant young French nobleman, the Marquis de Lafayette.

At a dinner party in Germany he heard of the revolted colonies battling for freedom in America. His inborn love of liberty was aroused, and he determined to offer his life and his fortune in the glorious cause, believing, as he said, that "the welfare of America is closely bound up with the welfare of mankind." He had inherited a great fortune, and, fitting out a vessel secretly at his own expense, he embarked on the sea and reached the shore of South Carolina—two years to the day after the battle of Lexington. Proceeding to Philadelphia, he offered to Congress his services without pay, was made a major general by that body, became a member of the military family of Washington, and

⁵⁶ A monument was recently erected in Washington to commemorate French aid in the Revolution.

soon entered the depths of that great man's heart. Valiantly he served through the war; and he returned, rejoicing at its close, to rejoin his youthful wife in his native land. In the course of our history many other foreigners have won the applause and homage of the American people; but the name of no other stands, or can ever stand, so high as the name of Lafayette.

There were a few others also from foreign shores whose services in the War for Independence cannot be forgotten by a grateful people. Among these was another liberty-loving Frenchman, the Baron de Kalb, who came in the same ship with Lafayette. Faithfully he served as a major general in New Jersey and Maryland and later in the South, where he fell at Camden with eleven wounds, and died soon after the battle. Among the names not to be forgotten is that of the Polish patriot, Thaddeus Kosciusko. A youth of twenty years, he joined the army in 1776, and as an engineer became one of the most useful men in the service. At the close of the war he returned to his native land and became the leader of his countrymen against the combined attack of the powers that had determined on the division of Poland. But his little band was routed at Macieowice by a vast army, and Kosciusko fell, covered with wounds, uttering the sadly prophetic words, "This is the end of Poland." " Still another brave defender of liberty we must note from this same unhappy Poland, Count Pulaski, the son of a rich nobleman who perished in the defense of his country.

"To this fall the poet Campbell refers in his couplet:—

"Hope for a season bade the earth farewell,
And Freedom shrieked when Kosciusko fell."

After the downfall of his nation Kosciusko lived quietly in France. He visited the United States in 1797 and received a pension and a grant of land from Congress.



1757 — GILBERT DU MOTIER DE LAFAYETTE — 1834.

1790.

From the original portrait in possession of A. Ames Howlett, Esq., Syracuse, N.Y.

Pulaski made his way to America, became an effective leader of cavalry, and at last, in the siege of Savannah, gave his life to the cause that he loved above all things—the cause of Liberty. One of the most useful of our foreign helpers was the German nobleman, Baron Steuben. He joined the army late in 1777, was made inspector general, and greatly raised the effectiveness of the army, by introducing discipline and drill according to the best European standards. At the close of the war Steuben was granted a pension by Congress, and a large tract of land near the site of the battle of Oriskany by the state of New York. On this tract he built a house and lived happily among his servants and tenants until his death in 1794. Among the friends of America at this period we cannot omit the name of Frederick the Great, king of Prussia.⁸⁸ Frederick was then the most powerful personage in Europe. He had been greatly aided by England during the Seven Years' War; but he could not conceal his sympathy with the patriots, and he proved it by opening the port of Dantzic to American cruisers and by refusing to permit any more Hessians to pass through his dominions en route to America. He refused, however, to negotiate a treaty at that time with the United States.

Another item of foreign news is very interesting at this point. The astonishing tidings of Burgoyne's surrender spread dismay in the royal party in England, and in February, 1778, Lord North arose in the Commons and proposed that every point for which the Americans contended in the beginning be yielded by Parliament. This humiliating act passed both houses and was signed by the king in March.

⁸⁸ The long-current story that Frederick sent Washington a sword is now believed to be mythical. See *Century Magazine*, Vol. XIX, p. 945.

But it was too late, and the commissioners sent to treat with Congress were received with scorn, as America refused all overtures except on the ground of independence.

Two days after King George had signed this act, the news of the French treaty with America was made known to England, and war was soon declared against France. Lord North then determined to resign his office, and the nation, in its distress, turned to the Great Commoner. It was believed that he and he alone could yet conciliate America. The king, with his usual obstinacy, hesitated to put the government into the hands of his old enemy. He would probably have been forced to do so by public opinion had not death come to his rescue by removing Chatham. The Great Commoner was making his last speech before the Lords, and his subject was that America must not be lost to England. Bandaged in flannels and leaning on crutches, he awakened to his theme, and the light of other days shone from his eyes. He finished, but soon rose again to answer a reply, when he fell to the floor in a swoon. He was carried to his home by loving hands, and a few weeks later he passed away, at the age of threescore years and ten. North was now prevailed on to continue as premier, and the war went on.

FROM MORRISTOWN TO GERMANTOWN

We must go back and take up the thread of the story of the war in America. During the year 1777 the military operations were carried on in two parallel lines. The one we have traced to its culmination in the surrender at Saratoga. The other lay in a different field and with different surroundings, and although no brilliant victory rewarded the American commander, his generalship was this year,



1754—LOUIS XVI—1793.

By JOSEPH SILFREDE DUPLESSIS.

From the original portrait in the Historical Gallery, Versailles, France.

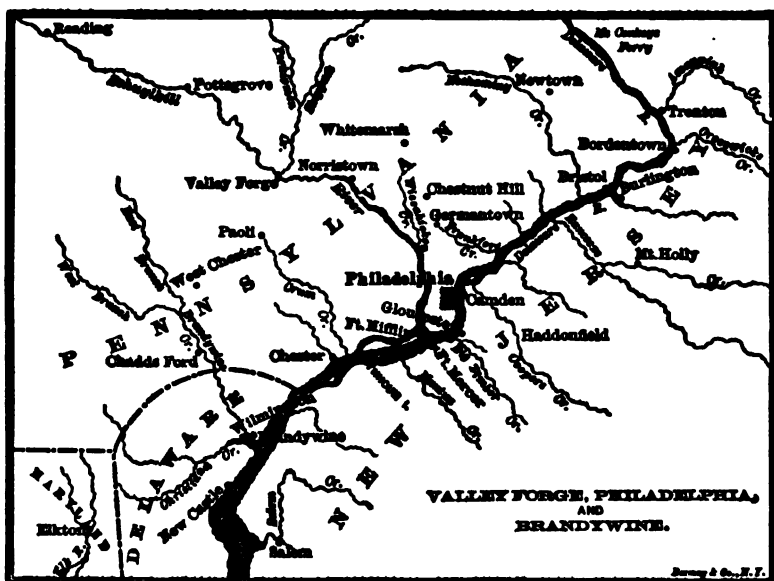
as usual, superior to that of any of his fellow-commanders.

We left Washington encamped for the winter at Morristown. With the opening of spring new recruits began to arrive, and when the commander broke camp on the 28th of May his army numbered some eight thousand men. General Howe had spent the winter at New York, and his plan now seemed to be to dash across New Jersey, capture Philadelphia, and return in time to assist Burgoyne. Washington, divining this, planted his army stubbornly in the way. His army was but half the size of Howe's and he refused to be drawn into open battle; but he harassed his enemy from every side, and after eighteen days of this watchdog policy, actually drove Howe back to Staten Island.⁵⁹ Washington, supposing that Howe would proceed up the Hudson, prepared to coöperate with Schuyler. But Howe embarked upon the sea and sailed for the mouth of the Delaware. Finding that river too well guarded, as he supposed, he sailed around the peninsula and up Chesapeake Bay, landing near Elkton, Maryland, the last of August.

Washington was amazed to discover that Howe had abandoned Burgoyne; such a military blunder was almost inconceivable. And besides, the possession of Philadelphia could be of little advantage to the British, as the city was not a military, nor even an administrative, center. Congress could easily fly to a neighboring town and continue its business. But Howe acted as though the goal of the war was to take the "rebel capital." Soon after he landed at the head of the Chesapeake, however, Washington was there to confront him with an army now raised to eleven thousand.

⁵⁹ John Fiske, our ablest writer on the Revolution, pronounces this feat of Washington's as remarkable as anything he ever did, and I do not hesitate to agree with him.

Howe's army was much larger and better drilled, but Washington determined to risk a battle. He was driven to this, it may be said, by public sentiment. The people could not understand the Fabian policy, of which he was such a master; and had he given up Philadelphia without striking a blow, he would have been severely censured by the public. As Fiske says, he saw that it was better to suffer a defeat



than to yield the city without a struggle, and he met Howe in southern Pennsylvania, on the banks of the Brandywine.

Washington took a strong position at Chadd's Ford, his center protected in front by artillery under General Anthony Wayne, while Greene remained in the background as a reserve. The right wing under Sullivan was then thrown up the stream for two miles. A portion of the British army, under Knyphausen, the ablest of the Hessian commanders

except Riedesel, occupied Washington's front, while Cornwallis, with great skill, made a flank movement by marching up the Lancaster road, crossing the Brandywine, and striking Sullivan in the rear. Washington had expected this movement, but was thrown off his guard by a false report. Sullivan made a desperate fight at the church, but was slowly forced back. Knyphausen then crossed the creek to attack Wayne, who, fighting as he went, made an orderly retreat upon Chester, as Sullivan and Greene had done. The loss on the American side exceeded one thousand men, while the enemy lost nearly six hundred. The British were justified in claiming a victory, as they drove the patriot army from the field.

Brandywine decided the fate of Philadelphia. Washington knew that the capital must be given up, but he determined to harass and detain the enemy as much as possible, his chief object being to prevent aid being sent to Burgoyne on the Hudson. There were frequent skirmishes, in one of which Wayne lost three hundred men, and a regular battle was prevented at Chester Valley only by a violent storm. So vigilant was Washington in retarding the British that it required fifteen days for them to march twenty-five miles. They entered the capital on September 26. Congress had fled to Lancaster, after again making Washington dictator—this time for sixty days. Howe encamped his main army at Germantown, then a village of one long street a few miles north of Philadelphia; and here, on the 4th of October, Washington again gave battle.

This battle might have proved a glorious victory for the Americans but for an unfortunate accident caused by a dense fog. Washington had planned the battle admirably. His army was to advance by four different roads, and to

meet at daybreak and open the battle at different points. Sullivan, in command of the main army, swept down from Chestnut Hill and met the British advance guard at Mount Airy, a slight elevation between Chestnut Hill and Germantown. Joining with Wayne at this point, Sullivan charged the guard, pressing them back on the light infantry, and both were soon put to flight. A portion of the British took refuge in Judge Chew's stone mansion, which the Americans bombarded for some hours without effect. Sullivan had passed on down the main street, and was now supported by Greene, who had come up with the American left wing. The British were thrown into confusion, and there was every promise of a brilliant American victory, when, in the dense fog that enveloped the entire surrounding country, General Stephen, who commanded a brigade of Greene's division, fired on Wayne's men, mistaking them for the enemy. A panic soon spread through the army, and a general retreat was ordered. The British saw their sudden advantage, reformed, and pursued the Americans for several miles. The latter, however, retreated in good order, saving their wounded and their artillery. The respective losses were nearly the same as at the battle of Brandywine.*

This battle, which occurred thirteen days before the surrender of Burgoyne at Saratoga, though resulting in a defeat, came so near being a victory that the American army was rather elated than depressed by the result. The British general, after opening the Delaware to his brother's fleet by reducing Forts Mercer and Mifflin at the cost of half a thou-

* General Stephen was accused of drunkenness during the battle, was tried by court-martial, and was dismissed from the service. As to the losses at Germantown, as in most of the battles, the records are incomplete, and it is difficult to get at the exact truth.

sand men, settled snugly in Philadelphia for the winter; while Washington, after hovering threateningly about for some weeks, led his army to Valley Forge.

VALLEY FORGE AND MONMOUTH

Every American reader is familiar with the story of the sufferings of the patriot army at Valley Forge. To this valley among the hills that border the winding Schuylkill, some twenty miles from Philadelphia, Washington led his half-clad army of eleven thousand men about the middle of December, 1777. As the men marched to this retreat their route could be traced in the snow by the blood that had oozed from broken shoes. On reaching the place they found it shelterless, and for two weeks they toiled in the bitter weather, building huts in which to spend the winter. Many were without blankets, and had to sit by the fire all night to keep from freezing. Washington informed Congress, on December 23, that he had in camp 2898 men "unfit for duty because they are barefooted, and otherwise naked." The rudely built hospitals were soon crowded with the sick and dying. Some died for want of straw to make a bed on the frozen ground, others for want of sufficient nourishment. "The unfortunate soldiers were in want of everything," wrote Lafayette years afterward; "they had neither coats, hats, shirts, nor shoes, their feet and legs froze till they became black, and it was often necessary to amputate them." Thus that long and dreary winter was spent by the patriots who won for us the independence of America, and the fewness of the desertions of that trying hour attests the depths of their patriotism.

But our pity is mingled with indignation when we consider that most of this suffering arose from mismanagement

and the incompetency of Congress. The country was full of clothing and provisions; "hogsheads of shoes, stockings, and clothing were lying at different places on the roads and in the woods, perishing for want of teams, or of money to pay the teamsters." Congress had degenerated woefully since the passing of the great Declaration. Franklin was in Paris, Henry was governor of Virginia, Jefferson, Rutledge, and Jay were no longer on the roll. The wily politician was too often chosen instead of the statesman and the patriot, and his baneful influence has not ceased to be felt from that time to the present. Incompetent men were promoted in the army by Congress, in spite of the protests of the commander in chief, and the result was mismanagement and widespread demoralization.

It was during this fateful winter also that the detestable plot known as the "Conway Cabal" took place. Thomas Conway was an Irishman who had long been in the service of France, and was an officer of some reputation. He had been in the battles of Brandywine and Germantown, and was about to be promoted, when Washington, believing the movement unwise, protested. Conway was highly offended, and in a short time he had concocted a scheme to overthrow Washington, and to elevate Gates to his place. Conway's chief fellow-conspirators were Thomas Mifflin and Dr. Rush of Pennsylvania, and James Lovell, a member of Congress from Massachusetts. Anonymous letters, attacking Washington and comparing his failure in Pennsylvania with the success of Gates at Saratoga, were spread about, and many of the uncritical were won over. Even Congress seemed to favor the plotters; it reorganized the Board of War, made Gates its president, Mifflin a member, and Conway inspector general of the army. This board was given

much power that properly belonged to the commander in chief. Thus matters seemed to be moving to a focus, when suddenly the whole scheme exploded and came to naught. Young James Wilkinson, a member of Gates's staff, while merry with wine, disclosed the secret correspondence between Conway and Gates; and the information reached the ears of Washington, who set about probing the scheme with a quiet dignity that won the admiration of all. In a few weeks public sentiment was so changed that no one could be found who would acknowledge having had anything to do with the plot. Even Conway, being wounded in a duel and expecting to die, wrote Washington a letter expressing his sincere grief at what he had done.

One thing more must be mentioned in connection with this winter at Valley Forge—the coming of Steuben. The army was but half trained until it was taken in hand by this noble old German, who had been schooled on the staff of Frederick the Great. With infinite pains he drilled the men day after day. Losing his patience at times, it is said that he would exhaust his vocabulary of French and German oaths, and then call on his aid to curse the blockheads in English.⁶¹ He acknowledged afterwards, however, that the Americans were wonderfully quick to learn; and it is certain that from this time to the end of the war the patriot soldiers could measure up almost, if not fully, to the standard of the British regulars.

While the Americans were enduring the hardships of Valley Forge, the British were living in luxury in Philadelphia. Most of the patriots had fled from the city, and the loyalists and the soldiers spent the winter in a round of gayeties,—theatres, balls, and parties,—and to these were

⁶¹ Fiske, Vol. II, p. 54.

added gambling, cockfighting, and horse racing. Franklin wrote from Paris that Howe had not taken Philadelphia, but Philadelphia had taken Howe. While the army at Valley Forge was drilling and becoming more inured to the hardships of war, that at Philadelphia was deteriorating through luxury and idleness; and their relative efficiency was greatly changed when they met again on the battlefield.

General Howe had undertaken the task of subjugating the colonies with much reluctance, and he never proved himself a vigorous, dashing commander. Neither his operations during the preceding summer nor his winter of pleasure in Philadelphia was pleasing to the authorities, and his recall was determined upon. Sir Henry Clinton was chosen to succeed him, and he at once decided to evacuate Philadelphia and move his army to New York. Three thousand loyalist residents, afraid to face their countrymen, begged to be taken away, and Clinton sent them to New York by sea, while he proceeded to cross New Jersey with his army. The ever-vigilant Washington was on the alert, and his army, after the long winter of privation, took courage with the dawning of spring and with the glorious news of the French alliance, and came forth with the vigor of a well-trained athlete. It was the 18th of June when Clinton's rear guard left Philadelphia, and before sunset of that day the Americans occupied it; two weeks later Congress had returned and was sitting in its accustomed place. But Washington was not content to occupy the city; he determined to strike the British ere they reached New York.

Clinton was greatly encumbered with a baggage train twelve miles long, and Washington soon overtook him. The two armies were about equal in strength, each containing some fifteen thousand men; and for once—thanks to Baron



1730—FREDERICK WILLIAM VON STEUBEN—1794.

ATTRIBUTED TO RALPH EARL.

From the original portrait in possession of Mrs. F. B. Austin, New York.

Steuben—the Americans were equal to the enemy in fighting qualities. Clinton would gladly have avoided an engagement, but Washington was eager to attack him. The battle would probably have been the greatest of the war—a fight to the finish between two armies of equal strength—but for the disobedience and treachery of one man, Charles Lee, who had lately been exchanged. As stated before, Lee was a traitor to the patriot cause; but Washington, not suspecting this, gave him his old command as senior major general. Lee now opposed an attack on Clinton and, being overruled, he sullenly refused to lead the attack. Lafayette was appointed to take his place, but next day Lee, professing to have changed his mind, requested to be allowed to lead the charge, as his rank entitled him to do. Washington, with the consent of Lafayette, magnanimously, but very unfortunately, granted the request.

The 28th of June, 1778, became the fateful day of the coming together of the two armies. The British left wing under Cornwallis had encamped the preceding night near Monmouth Courthouse, while the right wing under Knyphausen lay near on the road toward Middletown. In the early morning Washington sent Lee forward to attack Cornwallis in flank, while he, with the main army, would come up and make the attack general. Lee advanced and took a strong position, partially surrounding Cornwallis, when, to the astonishment of the enemy as well as to his own men, Lee ordered a retreat across a swamp. Wayne, who had already begun the attack, was thunderstruck at this command, but could do nothing but obey his superior. Clinton saw the strange movement and was quick to follow up the advantage it gave him. Lafayette was about to dash his force against Clinton when Lee stopped the movement.

Everything now pointed to a complete English victory, and so it would have been but for the arrival of the commander in chief. Washington, amazed at hearing of Lee's retreat, galloped to the front, and, meeting Lee at the head of the retreating column, demanded in a terrific voice an explanation of his conduct. Lee quailed at the impetuous anger of his chief, who was usually so calm and self-contained. He muttered something about his not having favored a general engagement, when Washington, losing all self-restraint, shouted that he must be obeyed. He then wheeled about and put a stop to the disgraceful retreat, and, meeting Lee again, ordered him to the rear and himself took immediate command of the battle.

The mercury mounted to ninety-six degrees in the shade on that scorching Sunday when the battle of Monmouth was fought, and more than fifty men on each side who escaped the enemy's bullets fell from sunstroke. Scarcely fifteen minutes elapsed after Washington reached the front, before the Americans, while under fire, had formed into line of battle. Greene commanded the right wing and Lord Stirling the left, while Wayne held the center, and Knox managed the artillery. The British were soon checked, and then steadily pushed back until the Americans occupied the high ground from which Lee had retreated in the morning. At one time during the conflict the British colonel, Monckton, seeing the necessity of dislodging Wayne, advanced at the head of his troops for a desperate charge with the bayonet; but Wayne's bullets flew like hail, the column was driven back, and nearly every officer, including Monckton, was slain. The battle raged until nightfall, when the darkness ended it. Washington determined to renew the attack at daybreak; but Clinton silently withdrew in the night, and



1742—NATHANAEL GREENE—1786.

BY CHARLES WILLSON PEALE, 1783.

From the original portrait in the old State House, Philadelphia.

Cornwallis was greatly weakened by the defeat at the Cowpens, and he determined to strike Greene as soon as possible and revive the waning spirits of the regulars and loyalists. Perceiving this, Greene decided to lure the British general as far as possible from his base of supplies, and then to give him battle. He began an apparent retreat northward. Cornwallis fell into the trap, destroyed his heavy baggage and followed. The chase continued for two hundred miles. At Guilford Courthouse, but thirty miles from the Virginia border, Greene, having joined Morgan's forces with his own, wheeled about, and, after some days of sparring for position, offered battle.⁷⁸ Greene placed his raw militia in front with orders to fire two or three volleys before giving way, after which the brunt of the battle was to be borne by the regulars. This plan had been adopted by Morgan at the Cowpens with great success, and Greene found it highly useful. At one time during the battle the Americans were on the point of being routed, when they were saved by a cavalry charge of Colonel Washington. After the battle had continued for some hours the British planted their columns on a hill, from which they fought with great valor and could not be dislodged, and at nightfall they were left in possession of the field. From this cause the battle of Guilford has been considered a British victory. But the real victory lay with Greene. He had lured his enemy far from his base of supplies, and had destroyed one fourth of his army, six hundred men, himself losing but four hundred.

⁷⁸ Greene's flight was prompted also by the fact that he did not feel able, without reinforcements, to fight Cornwallis. He offered battle only after making a detour into Virginia and gathering several hundred recruits.

Cornwallis saw that he was entrapped, refused Greene's challenge for a second battle, and marched in all haste to the seacoast, leaving his wounded behind.

By the flight of Cornwallis North Carolina was left in the hands of the Americans, and South Carolina was soon to share the same good fortune; for Greene, instead of pursuing the enemy toward Wilmington, turned to the latter state, and in three months he and his subordinates had driven the enemy from every stronghold—Camden, Augusta, Forte Motte, Orangeburg, Ninety-six—all except Charleston;⁷⁹ and all the energy that the British had expended in two and a half years to possess those states came to naught.

YORKTOWN

On reaching Wilmington, North Carolina, Cornwallis did not go southward and begin a reconquest of the state he had lost; he proceeded, without orders from Clinton, into Virginia, in the hope of conquering that state, and in the belief that if he did so the Carolinas would easily fall again into his possession. Lafayette, with a thousand men, had come down from the North to join Steuben and watch Arnold and Phillips, while Wayne, with an equal number, was moving south from Pennsylvania. With great skill the young French marquis, with an inferior army, held the enemy in check for a month, when he was joined by Wayne. Cornwallis arrived on May 20. Arnold was sent back to New York, and Phillips died of fever. Then began a long

⁷⁹ Colonel Stewart, however, who succeeded Lord Rawdon, remained in South Carolina till September 8, when occurred the battle of Eutaw Springs. This has been pronounced a British victory; but, strange to say, the victors fled and were pursued for thirty miles by the vanquished.



1737 — CHARLES, MARQUIS CORNWALLIS, K.G. — 1805.

BY THOMAS GAINSBOROUGH, 1783.

**From the original portrait in the National Portrait Gallery,
London, England.**

series of maneuvers, marches, and countermarches, Lafayette harassing the enemy in every way, but avoiding an engagement. The British general expected to make a brilliant stroke. "The boy cannot escape me," said he; but the boy had been schooled under Washington for four years, and no strategy of Cornwallis could entrap him. In one of Tarleton's raids Governor Jefferson was barely able to escape from his house at Monticello before it was surrounded by cavalry. Lafayette's army steadily increased. Early in August Cornwallis moved down the York River and occupied Yorktown, while the marquis stationed his army at Malvern Hill; and there they remained until the inaugurating of a great and unexpected movement that was to end the campaign and the war.

For three years, since the battle of Monmouth, Washington had held his army as a watchdog, guarding the great valley of the Hudson, while Clinton, in the city of New York, was ever threatening to invade it. Washington longed to attack the enemy in his stronghold, and would have done so during Clinton's brief absence in the South, but for the fact that he had weakened his own army by sending troops southward. During the spring of 1781 this scheme of attacking the city was revived. Count Rochambeau had arrived in Rhode Island the year before with six thousand French troops, and now, after nearly a year of enforced idleness, this army was to be joined to that of Washington for a combined attack. The two commanders conferred with this end in view, when suddenly the news reached them that Count de Grasse, with a powerful French fleet of twenty-eight ships of the line and six frigates, bearing twenty thousand men, was about to sail from the West Indies to Chesapeake Bay. The whole plan was at once

changed. Washington determined to take a French-American army to Virginia, and to endeavor with the support of the fleet to capture the British army.

So necessary was it to deceive Clinton that Washington and Rochambeau kept their plan secret even from their officers until secrecy was no longer possible. Leaving General Heath with four thousand men to guard the Hudson, they crossed that river with four thousand Frenchmen and two thousand Americans on the 19th of August. Moving down the Jersey shore, they made a feint on Staten Island and led Clinton to believe that the intention was to attack it; but suddenly the army wheeled to the west, and it almost reached the Delaware before the object of the expedition was known. By the time the army reached Philadelphia it was generally known that the aim was to capture Cornwallis, and the rejoicing of the people of the city was loud and long. While en route to the South, Washington made a flying visit to his home at Mt. Vernon, which he had not seen for six years.

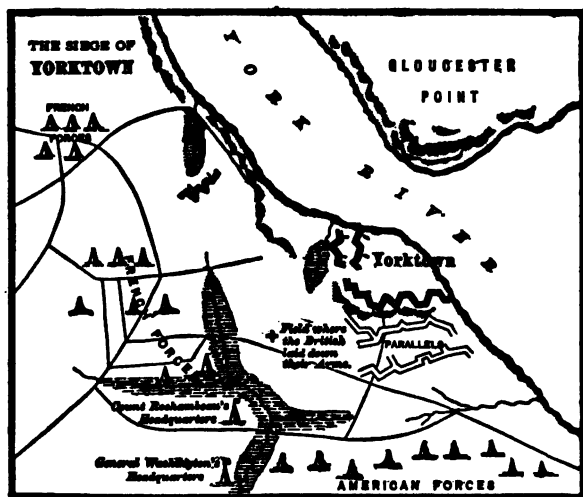
Meantime De Grasse reached the mouth of the York River and sent four thousand men ashore to augment the army of Lafayette. The British also had a powerful fleet in the West Indies, under the command of Admiral Rodney, a very able man; but Rodney returned to England, owing to sickness, and sent the fleet northward under Admiral Hood. Reaching Sandy Hook, Hood joined his fleet to that of Admiral Graves, and the two sailed for the Chesapeake to meet De Grasse. An action took place on September 5 in which several of the English vessels were so damaged that Graves and Hood sailed to New York for repairs and left De Grasse complete master in the Chesapeake. This was a matter of vital importance to Wash-

ington, as it prevented the escape of Cornwallis by sea. His only escape lay in a retreat upon North Carolina, but this was prevented by Lafayette, who lay across the peninsula with eight thousand men. Clinton, hearing of Washington's departure for the South, was deeply perplexed. In the hope of luring Washington back, he sent Arnold to harass the coast of Connecticut, but the traitor was driven away by the swarming minutemen.

The allied armies reached the vicinity of Yorktown late in August. The approaches were made by means of parallel trenches, the first of which was completed on October 6, when the bombardment of the city began. Side by side labored the French chasseurs and the American continentals and militia, tightening the coils about the imprisoned British army. On the river bank below the town were two strong redoubts. One of these was captured by Baron de Vioménil, and the other by the youthful Alexander Hamilton, who was destined yet to play a great part in American history. Day by day the British works crumbled beneath the incessant fire of the allied cannon, and on the 17th of October, four years to a day after the surrender of Burgoyne, the white flag was seen waving above the parapet at Yorktown. The cannonade ceased and the surrender was effected two days later, the terms being exactly those accorded to Lincoln at Charleston. And it was Lincoln who was now sent to receive the sword of Cornwallis, who, playing sick, sent it by the hand of General O'Hara. The British arms were soon stacked, and the entire army of more than eight thousand men, including a few hundred seamen, became prisoners of war.

Everybody knew, on both sides of the Atlantic, that this master stroke had ended the war and that America had

won. Clinton held New York for two years longer; but hostilities had ceased, and he only waited for peace to be arranged by treaty.⁸⁰ The rejoicing over the surrender of Cornwallis was unbounded throughout America. The news reached Philadelphia in the early morning hours of the 24th, and the German watchman, continuing his rounds, added to his "Basht dree o'glock," the further information, "und Gorn-vallis ist da-ken."⁸¹ Wild scenes of rejoicing



greeted the coming day, and Congress repaired to the Lutheran Church to thank God for the deliverance. When the news reached Paris the victory was celebrated with a brilliant illumination of the city. Even in England many of the anti-war party rejoiced; but Lord North, on hearing

⁸⁰ Soon after the surrender Washington returned to the Hudson Valley. The French army embarked for France in December. Guerilla warfare continued in parts of the South and on the frontier for some time, but Yorktown ended hostilities between the regular armies.

⁸¹ Fiske, Vol. II, p. 285.

the news, paced the floor of his room, threw his arms wildly about, and repeated again and again, "O God, it is all over, it is all over."

It was not until April 19, 1783, exactly eight years after Lexington, that Washington proclaimed the war at an end, and discharged the army. Some time later he took impressive leave of his officers and retired to his Mt. Vernon home, a private citizen.

The very important business of concluding a treaty of peace was now in progress. The treaty was arranged in Paris, and the American commissioners were Benjamin Franklin, John Jay, and John Adams. Franklin was already in Paris, Jay was at Madrid, and Adams was in Holland trying to place a loan. American independence was a foregone conclusion, and every country in Europe was pleased with this outcome, except Spain, which foresaw that the United States as an independent power would become a menace to her American possessions. The North ministry had fallen, and the Marquis of Rockingham was now premier, with Shelburne and Charles James Fox as members of his Cabinet. All of these had been the friends of America from the beginning. In July, 1782, Rockingham died, and Shelburne, succeeding him as premier, became the one who, through his agents, treated with the Americans. Our commissioners had been instructed not to deal separately with England without the consent of France, and by these instructions Franklin was ready to abide. But Jay discovered, or thought he discovered, that the French minister, Vergennes, had proposed secretly to England that the United States be deprived of all the region between the Alleghany Mountains and the Mississippi River in the interests of Spain, and also that American

fishermen be prohibited from Canadian waters, and he offered to treat with England secretly without the consent of France.

The proposition was gladly accepted by Shelburne. Franklin did not approve of Jay's course, but Adams, arriving from Holland about this time, sided with Jay, and Franklin yielded. They therefore arranged with Shelburne a preliminary treaty, which was signed November 30, 1782, while the definitive treaty was not signed until the 3d of September, 1783, the long delay being caused by the European situation.

By the treaty the independence of the United States was acknowledged, and the boundaries were Florida on the south, the Mississippi on the west, and the southern boundary of Canada on the north. The northern boundary could not be absolutely fixed, owing to imperfect geographical knowledge. This was done sixty years later, and a child born among the New Hampshire hills the same year that marked the signing of the preliminary treaty became the American agent in completing this work that was left unfinished.

The Mississippi was left open to both American and British shipping; the right of the Americans to fish on the coast of Newfoundland and in the Gulf of St. Lawrence was continued, while British subjects were not granted fishing rights on the coasts of the United States. The other two questions to be disposed of were those relating to the loyalists and to the payment of private debts to British subjects, contracted by Americans before the war. Of these the former is the subject of a note at the end of this chapter; the latter was decided in the only right way to decide such



THE SURRENDER OF CORNWALLIS AT YORKTOWN.

By JOHN TRUMBULL, 1787.

From the original painting in the Trumbull Gallery, Yale University, New Haven, Conn.



a question—every debt must be paid to its full extent in sterling money.

The treaty on the whole was a great diplomatic victory for the United States. As Mr. Lecky says, nothing that we could reasonably have expected was denied us. Aside from independence, the one abiding triumph of incalculable importance was the securing of the Mississippi, instead of the Alleghanies, as the western boundary of the United States. Of scarcely greater importance was the purchase of Louisiana, twenty years later, than was this first step toward the expansion of the new republic to the western ocean.

OBSERVATIONS

To the "Revolution," by which the war as well as the change of government is often designated, I have given considerable space because of its great importance in the world's history. It gave birth to the greatest of modern nations. It also ended a long and bloodless strife in England between two political parties, or opposing principles of government, and resulted in the restoration of Parliamentary rule as distinguished from that of the royal prerogative. During the war the belief was widespread that the success of the Americans would bring ruin to the British Empire and relegate it to a second place among the powers, but such a result did not follow. England, now in the hands of Parliament and not of the king, rose like a wounded giant and smote her enemies right and left. Admiral Rodney, the greatest of English seamen except Nelson and Blake,²² in a tremendous naval battle in the West Indies in 1782, destroyed the French fleet and made a prisoner of De Grasse; and before the end of the year the English won

²² Greene.

a great victory over the Spaniards at Gibraltar. England now became the mother of nations and rose to a greater height than ever before, reaching the acme of her power a generation later at Waterloo.

America was not greatly weakened by the Revolution. It is true that the fishing industry and the shipping business were temporarily destroyed, but in spite of this fact the country continued to prosper during the war, and gained three hundred thousand inhabitants.⁸³ In fact, the war did not continue long in any one place. The wealth of the country lay chiefly in its farm products, and so extensive was the territory that the invading armies overran less than one-tenth of it during the whole war. When a foreign army was quartered for a long season in any place, it was a benefit rather than a detriment to the community, as the farmers received better prices, and usually in specie, for their products. In short, the country was richer and stronger in resources at the end of the war than at its beginning. Nevertheless, the patriot armies were often barefoot, but half clothed, and actually suffering for food. This arose wholly from a want of government. The country was laden with harvests and fruits, with shoes and clothing; but Congress was powerless,—it could not supply the army, it had no power of taxation. In one way alone, the worst way of all, could Congress tax the people—by issuing paper money; and this it did lavishly.⁸⁴ This Continental money depreciated in the hands of the people until it became valueless. A pound of sugar sold for \$10, and a

⁸³ Rhode Island and Georgia alone lost in population. See Channing's "United States of America," p. 105.

⁸⁴ The various issues by Congress (all before the close of 1779) aggregated \$242,000,000. Lossing's "Cyclopedia," Vol. II, p. 321.

barrel of flour for \$1,500. To say that a thing was "not worth a continental" was to express the utmost contempt for its value. This inflation of the currency caused much annoyance in business, but the people deserved it for their tardy support of the war. Had Congress wielded true governmental powers, or had the people acted all through with the vigor displayed at Lexington, at Saratoga, and at King's Mountain, the war would have been short and the result never doubtful.

As to foreign aid, aside from the moral effect of the French alliance and the individual services of such men as Lafayette and Steuben, it amounted to little until the last campaign. Twice did the French make an honest effort—at Newport and at Savannah—to assist the Americans, but in each case the result was failure. At Yorktown, however, the aid of the French was necessary to success. But for the fleet of De Grasse, Cornwallis would have escaped by sea; and but for the French land forces he might have broken through the encircling lines. For this service the Americans should never cease to be profoundly grateful to France.

Perhaps the greatest mistake made by the British was presuming too much on the strength of the loyalists. There were many, it is true, in northern New York and in the South, but in both sections the patriots outnumbered them, while in New England and Pennsylvania the Tory element was insignificant. Burgoyne seriously miscalculated in expecting the people of the Hudson Valley to rise up for the king, and the same mistake was made by Cornwallis in his hapless, final campaign in Virginia.

Among the British commanders we find no really great soldier. The ablest of them all was Cornwallis, a man of

much vigor, honest, conscientious, and not without strategic ability. Had Cornwallis been made commander in chief from the beginning, the history of the war might have been different from what it is. Next to him stands Lord Rawdon; and both of these men afterward rose high in the councils of their nation, each becoming governor of India. Tarleton exhibited much dash and brilliancy, but he was wanting in the humane qualities that usually characterize modern warfare. Gage was incompetent, as British writers acknowledge. Howe was abler, but he was dilatory and never seemed to have heart in the work.⁶⁶ Burgoyne and Clinton were men of considerable ability, and of the most honorable instincts; but while the former in his single campaign had little opportunity to exhibit any great qualities, the latter was usually just too late in making any important movement. Long after the war was over Clinton and Cornwallis had a sharp controversy concerning the Virginia campaign, the sympathy of Parliament remaining chiefly with the latter.

Turning to the American side, we find in George Washington a great military commander. It is true that he actually won but few battles, but this fact will not affect his reputation when one considers the conditions. An army of regulars, of professional soldiers, is worth at least three

⁶⁶ General Howe was accused by his political enemies of not trying to conquer the Americans because of his sympathy with them. To these accusations he made a sweeping denial. Mr. S. G. Fisher, in his "True History of the Revolution" (p. 296 sq.), makes a strong argument that Howe was not true to the British cause: that his sailing to Halifax on leaving Boston, instead of going directly to the vicinity of New York; his leaving great stores and many cannon at Boston, when he could have destroyed them; his failure to capture the American army on Long Island; his loitering on Murray Hill and losing a great opportunity in New York; his sailing for the Chesapeake, when he should

times its number of untrained militia; and not only was Washington's army composed largely of militia, as against the British regulars, but it was also usually far inferior in numbers, and was badly equipped in comparison. We do not class Washington among the greatest warriors of history; he lacked the brilliant genius of a Hannibal, a Cæsar, or a Napoleon. He is especially remembered for his Fabian policy; and yet his operations at Trenton and Princeton, his well-planned attack at Germantown, so soon after the defeat at Brandywine, and his stealthy march upon Yorktown,—all must be classed among the most brilliant military movements in the history of warfare. Other valiant leaders there were in the field and in the State, but any one of them could have been spared. Not so with Washington. Without him—judging from a human standpoint—the Revolution could not have succeeded.

Next to Washington stands Nathanael Greene. Singular it is that Greene never won a battle; but he always won the campaign, which was the vital thing after all. Lafayette made a name for himself in American history, and his fame will endure for many generations; but he never displayed, in this war or later in life, the qualities of a great military genius. A few of the commanders are famous for some single act—Ethan Allen for the capture of Ticonderoga, Stark for Bennington, and Wayne for his capture of Stony

have coöperated with Burgoyne, even without instructions,—abundantly prove this. The argument is strong, but as Howe was always known to be a man of the highest honor and probity, and as such a theory impeaches his character and makes him a traitor to his country while pretending to be its friend and defender, the theory is impossible to accept. And yet, as General Howe was a staunch Whig, it can easily be believed that his campaigns were less vigorous than they would have been had he belonged to the opposite party.

Point; while others, equally deserving, are scarcely remembered by the masses. Among these are Schuyler, who was robbed of his laurels at Saratoga; Knox, whose name was redeemed by his being chosen to sit in the first Cabinet; Daniel Morgan, the hero of many battles and especially of the Cowpens; and Sullivan, who was a conspicuous figure in nearly every battle fought on northern soil.

NOTES

Washington's Farewell.—On November 25, 1783, the British army under Sir Guy Carleton, who had succeeded Clinton, departed from New York, and the same day the American army entered the city. The day was celebrated for many years as Evacuation Day. Nine days after the entrance of the army Washington gathered his officers about him at Fraunce's Tavern and gave them an affectionate farewell. In deep emotion he raised a glass of water with trembling hand to his lips, drank to their health, and said: "With a heart full of love and gratitude I now take leave of you, and most devoutly wish your latter days may be as prosperous and happy as your former ones have been glorious and honorable." He then invited each to shake him by the hand, and as they did so he kissed each one on the forehead. From New York he went to Philadelphia and deposited with the comptroller an account of his expenses during the war (some \$64,000), and then proceeded to Annapolis, where Congress was sitting. In the towns along the route great numbers of people gathered to do honor to the hero and to assure him of their undying devotion. In the statehouse at Annapolis, at noon on December 23, Washington appeared before Congress in special session for the purpose, returned his commission as commander of the army to General Mifflin, the president, and uttered a speech of feeling and wisdom. Two days later, on Christmas, this "Cincinnatus of the West" was resting amid the rural scenes of his Mt. Vernon home.

The Treaty and the Loyalists.—The most serious immediate question before the American people after the conclusion of the treaty was what to do with the Tories or loyalists. In framing the treaty, England had insisted on favorable terms for them; but our commissioners, Franklin, Jay, and John Adams, were inexorable in their refusal. They agreed, however, that Congress recommend that the states deal mildly with the loyalists. Congress did this, but the states paid no heed to the request. Many of them fled the country at the close of the

war, some to England, some to Canada, while others found refuge in Florida. Many were reduced to poverty by confiscation. Some in New Jersey were tarred and feathered, while numbers in the South were put to death. One man, named Love, who had been notorious for killing wounded patriots, was tried in Georgia and was acquitted; but the people seized him as he walked out of the court room and hanged him to the nearest tree. A great many of the milder Tories were permitted to remain in the country, and they eventually became useful citizens. It is claimed that about 60,000 fled the country and made their homes in England or Canada. For those who had lost their property and left the country, Parliament appropriated a large sum of money, \$16,000,000.

CHAPTER XVI

THE TEMPORARY GOVERNMENT

THE war of the Revolution was now over, and the people rejoiced in their newly won independence; but the more serious problem of self-government was yet unsolved. We have seen how at the beginning of the war the people came together in the common defense, how they created a Congress with undefined powers and through it declared their independence, and how at length they lost interest in it and refused to obey its mandates. It is true that Congress had degenerated; some of the best men of the first Congress had gone into the army, others had become ministers abroad, while still others had accepted office in their respective states. No longer was that body composed of the best men of the country, nor were its motives always above suspicion. The people had learned, through their long experience in colonial days, how to govern their states; but to join them together into a nation was the vital question that had not yet reached a solution.

Nevertheless Congress made an honest effort to form a permanent union. On the same day that the committee was appointed to draw up a Declaration of Independence another committee was intrusted with the more arduous duty of preparing a form of government. The leading man in this committee was John Dickinson, who, one week after the great Declaration had been passed, reported a plan of government. This instrument was taken up and debated

at intervals for some weeks, when it was laid upon the table; and there it rested for eight months. In the early spring of 1777 these articles were again taken up, and, after a desultory discussion covering half a year, they were adopted by Congress. This plan of government, or constitution, is known in history as the Articles of Confederation.

The Articles as finally adopted were much weaker than was the original draft of Dickinson, and the weak and inefficient government created by them was little better than a "rope of sand," as it has frequently been called. The causes which contributed to this result were various. The outburst of national feeling at the opening of the Revolution, born of necessity and of the spirit of rebellion against England, had now subsided, while the feeling of state pride, which had its roots in the far past, was again in the ascendency. The states had moreover formed governments and assumed governmental powers, and they were loath to yield these powers to a general government. They were also jealous of one another, and this jealousy of states and sections played its part in preventing their union into a stronger government. To these causes—excessive state pride and a dearth of national patriotism, the jealousy of the states and unwillingness to yield any of their powers—another must be added, namely, a widespread fear that a strong central government would become tyrannical and oppressive and would eventually subvert the liberties of the people. From these causes our first attempt at national government, under a written constitution, ended almost in failure.

THE "ARTICLES" AND THE LAND CESSIONS

Immediately on adopting the Articles Congress sent them to the various states for ratification. Most of the states

ratified them within a year, but a few hesitated, and three and a half years passed before the union was formed. The chief cause for delay is found in the possession of western lands by some of the states and not by the others. Anticipating the cession by Great Britain of all the territory east of the Mississippi from Florida to the Great Lakes, the various states laid claim to it, mostly on the ground of their royal charters.* Massachusets claimed all the lands westward from New York, and Connecticut laid claim to a broad strip south of the Massachusets line. Virginia, by right of her charters and on the ground of the conquest of the Illinois country by George Rogers Clark, laid claim to almost the entire Ohio Valley and to parts of what is now Wisconsin and Michigan. The claims of the southern states extended from their respective western boundaries to the Mississippi. The claims of New York, however, were the most extravagant of all; and they were not based on a royal charter, but on the possession of the Iroquois. The Six Nations had deeded all their lands to the governor of New York, and these Indians had pretended to extend their authority over nearly all the tribes between the Tennessee River and the Great Lakes. On this ground New York claimed all this vast region as her own.

It will be seen that these claims frequently conflict, and here lay the seeds of serious future trouble among the states; but happily the discussion of the Articles of Confederation furnished the means of a final settlement. Six of the states—Rhode Island, New Hampshire, New Jersey,

* These charters, extending to the "South Sea," which now became the Mississippi River, had nearly all been canceled by the same power that had issued them, but the states ignored this fact and stuck to their extravagant claims to the western lands.

Pennsylvania, Delaware, and Maryland—had no claim to western lands, and these now called upon the others to surrender their claims to the general government. Maryland, indeed, made a determined stand, and refused to adopt the Articles and join the Union until the cessions were made. The matter hung fire for several years and began to attract attention even in Europe; but at length, early in 1781, New York generously took the lead and offered to cede her claims to the general government. Some of the others signified their willingness to follow this example, and Maryland signed the Articles in March, 1781.

This experiment in government was the first of its kind in history, and it was not then known, as it now is, that such a confederacy cannot endure. The Articles embodied a few good points, such as the provision that freemen of any state should be entitled to all the privileges and immunities of freemen of any other state, and that the records, acts, and judicial decisions of one state should be valid in all. But on the whole the Articles were exceedingly defective. They left the government without a Supreme Court to interpret the laws, without an Executive to enforce them, and with but one House of Congress, in which each state had one vote, regardless of its size, population, or wealth. Each state had at least two and not more than seven representatives, the majority casting the vote of the state, and no man could represent his state more than three years out of six. Congress had no power over commerce; each state had power to put a tariff on foreign goods, or on goods from the other states. The government acted on the state and not on the individual: thus a citizen had no direct relations with his government, which seemed to him almost as a

foreign power; he was responsible to his state, and the state to the general government.

The most glaring defect in the Articles lay in the fact that Congress had no power over taxation. It could only apportion to the states the amount necessary for each to raise, and if they refused, as some of them did, there was no power to force them. Eighteen months were required to collect one fifth of the taxes laid by Congress in 1783.⁸⁷ It is plain that a government which has not the power to tax its own citizens, or to enforce its own laws, or to regulate commerce, lacks the vital essentials of sovereignty; and in this condition was the United States under the Articles of Confederation.

DRIFTING TOWARD ANARCHY

The Articles of Confederation were perhaps the best attainable at the time of their adoption, as the people were not yet ready for a solid union; and they taught the people as nothing else could have done that a stronger government was necessary. But they were truly "a rope of sand." Any refractory state among the thirteen had the power to nullify a national law. Our agents in Europe made treaties of commerce which could be set at naught by any state in the Union. The European powers did not know whether they were treating with one nation or with thirteen. Matters at home were in a still worse condition. The states habitually violated the Articles and disobeyed the acts of Congress, and they quarreled with one another like petulant children. Pennsylvania and Connecticut came to blows over the Wyoming Valley, until at length the matter was

⁸⁷ From November 1, 1781, to January 1, 1786, Congress made requisition for more than \$10,000,000 and secured less than one fourth of that sum.

settled by arbitration. Pennsylvania won, and Connecticut went on westward and took a slice out of northern Ohio, now called the Western Reserve. New York and New Hampshire quarreled over the territory of Vermont. Washington became peacemaker, and Vermont afterward joined the Union as the fourteenth state. New York was in dispute with New Jersey and Connecticut concerning trade. Various states kept troops, or entered into compacts in direct violation of the Articles.

The national treasury was in a deplorable condition. A great war debt hung over the country, and the soldiers were clamoring for their pay; but Congress was powerless. In March, 1783, the army was inflamed by a series of articles, known as the "Newburg Addresses," by Major John Armstrong, which set forth the grievances of the army and indirectly counseled violent measures to obtain redress. The addresses soon bore fruit. In June of the same year a band of eighty soldiers broke camp at Lancaster, marched upon Philadelphia, drew up before the state-house where Congress sat, and demanded their pay at the point of the bayonet. Congress appealed to the state for protection, but neither the state nor the city was able or inclined to furnish it; and this august body of lawmakers, which had raised armies to grapple with the British Empire, had issued the Declaration of Independence, and had concluded treaties with the greatest nations of the earth,—this body now fled from a few of its own soldiers and found refuge in the college at Princeton. Rioting was rampant in many parts of the country. At Concord, Massachusetts, the judges were driven from the court by an armed mob, and the same thing occurred at Northampton and other towns.

The states were supreme. Congress was held in contempt, yet that body made an honest effort to manage the government and to pay the national debt. In 1781 Congress proposed an impost duty of five per cent on certain articles, in order to raise money to pay the public debt. But the consent of all the states was necessary. Twelve consented, but Rhode Island refused, and the project fell to the ground. In 1783 a strenuous effort was made to amend the Articles so as to give Congress the power of laying imposts. Twelve states again consented, including Rhode Island; but New York, swayed by George Clinton, whose statesmanship was too narrow to expand beyond his own state, refused, and again the project came to nothing. A third attempt was made in 1784—an attempt to get the states to give Congress power to exclude from our ports vessels whose respective governments did not have commercial treaties with us; but this effort also ended in failure.

Deplorable indeed was the condition of the country during the years just preceding the breaking of the dawn. Our credit in Europe was dead. Jefferson, who had succeeded Franklin as minister to France, labored in vain to secure further loans and more favorable trade conditions with that country; and John Adams and John Jay had similar experiences at London and Madrid. The half-barbarous hordes of North Africa insulted our flag with impunity, destroyed our shipping in the Mediterranean, and openly sold American citizens into slavery in the markets of Tripoli and Algiers. But Congress could not protect its citizens at home—how could it do so in lands beyond the seas? One of the most serious menaces to the country came from the far Southwest. Spain, through her envoy,

Gardoqui, decided to close the lower Mississippi to American shipping; and John Jay, our foreign secretary, after a year's protest, agreed to the project in order to win a commercial treaty from Spain. Instantly the settlers of the great valley were up in arms. The closing of the great waterway, they declared, would ruin them, and rather than submit to it, they would secede from the Union and throw themselves upon Great Britain for protection. But New England wanted the commercial treaty and cared little for the navigation of the Mississippi. That section now talked secession, if the Jay-Gardoqui treaty were not accepted by Congress. Pennsylvania and New Jersey were neutral and held the balance of power, but at length they threw their weight with the South, and the treaty was rejected.

In 1786 the country was again deluged with paper money, issued, not by Congress, but by the several states. The people clamored for it as Israel cried for quail in the wilderness, and the issue was so profuse as to ruin trade and business. Most of the states yielded to the demand of the people; and the refusal of Massachusetts to do so, coupled with a decision to pay her quota to Congress, caused an uprising led by Daniel Shays, known as Shays's Rebellion. Shays had a following of some two thousand men, mostly debtor-farmers, and Governor Bowdoin was obliged to send General Lincoln to disperse them. This rebellion, perhaps, did more than anything else to arouse in the lovers of peace and order a sense of the need of a stronger government.

Such was the condition of national affairs under the Confederation. Congress had but the shadow of power, and the national authority was a dream. But the seeds of discontent were taking root in many hearts. Wise men saw that unless a stronger government were formed, the fruits

of the Revolution would be lost and the opportunity of the new civilization in the Western World would be fatally impaired. Washington looked with dismay upon the drifting of the people toward anarchy. As early as June, 1783, he had written a long circular letter to the governors of all the states, in which he urgently recommended "an indissoluble union of the states, under one federal head." But in one thing there was already an important nucleus of nationality; one solid foundation stone had been laid, and that consisted in the possession by the general government of the western lands, a vast tract equal in extent to all the thirteen states combined.⁸⁸ In July, 1787, an ordinance was passed by Congress to govern the Northwest Territory, between the Ohio River and the lakes. This famous "Ordinance of 1787" provided for the government of that region, and for its ultimate division into states, and above all, it excluded slavery forever from the territory.⁸⁹ By this act Congress exercised sovereign power which had not been granted by the Articles, and yet there was no outcry against it. It was one of the signs that pointed to a closer union and a stronger government. This ordinance, which was ratified by the first Congress under the Constitution, has been rightfully pronounced next in importance to the Declaration of Independence and the federal Constitution in its results for the United States.⁹⁰

⁸⁸ Not all the states owning western lands had yet ceded them, but they were morally bound to do so, as it was understood that they would follow the example of New York and Virginia. The last cession, by Georgia, was made in 1801.

⁸⁹ A similar ordinance, framed by Jefferson in 1784 for the government of the southwestern territory also, was rejected by Congress on account of an antislavery clause.

⁹⁰ Channing's "United States," p. 113.

THE ANNAPOLIS CONVENTION

While governmental affairs were in this almost chaotic condition, while the country was in a state of distraction over the New England riots, the flood of paper money, and the pending Jay-Gardoqui treaty,—early in the year 1786,—a very important step was taken in the right direction. The legislature of Virginia called a convention to be held at Annapolis—or rather invited the other states to join in such a convention,—for the purpose of considering trade conditions. This call, occasioned by the commercial problem, originated with James Madison, one of the ablest among the nation builders of that period.

At the little city by the Chesapeake the convention met in September, 1786. But twelve delegates were present, representing five states, neither New England nor the extreme South being represented.²¹ The convention, too small to be truly a representation of the whole country, did not discuss the condition of trade, and it would scarcely be remembered but for the one thing it did—it called another convention, to be held the following spring in Philadelphia. The call was drawn up by the brilliant young delegate from New York, Alexander Hamilton.

There was much doubt as to what would be the response to this call, so widespread was the passion for state rights, and so little did the masses realize that the ills of the country were largely due to a want of government. Congress, then sitting in New York, hesitated long before sanctioning the movement, and gave its approval only after six states had elected delegates. Virginia took the lead, and Virginia was led by Madison, who made a master stroke

²¹ Delegates from various other states were on their way to Annapolis when they heard that the convention had adjourned.

by having Washington put first on the list of delegates. This, it was well known, would give tone and dignity to the movement, as Washington was the popular idol in every state. But Virginia did nothing better than to send Madison himself to the convention. The other states followed her example, until twelve of them had chosen delegates, Rhode Island alone refusing to take any part in the proceeding.

The approach of the time for the Philadelphia convention was marked by a general interest among the people. The convention was called ostensibly to amend the Articles of Confederation; but it was generally felt that it would go beyond its instructions and propose a new government. What would be the outcome no one could surmise. Some favored a monarchy;^{**} a larger number preferred that three republics be set up—one comprising New England, a second the Middle states, and a third the Southern states; but the great mass of the people preferred that there be one government, and that a republic. The people were in a quiver of uncertainty as to what would be done or should be done; they only knew that something must be done, and that soon, if the country was to be preserved. Meantime the Constitutional Convention met, and after a four months' labor it gave birth to that great document which still is, and will doubtless be for many generations to come, the supreme law of the land—a document that the great British statesman, Gladstone, pronounced the "greatest work ever struck off at any one time by the mind and purpose of

^{**} Colonel Louis Nicola, who favored a kingdom, had written to Washington in 1782, urging him to accept the crown at the hands of the American people. Washington answered that the scheme was odious to him, and enjoined Nicola as his friend to mention it no more.

man;" and to the story of the making of this instrument we shall devote the next chapter.

NOTES

Society of the Cincinnati. — The society known as the Cincinnati was first suggested by General Knox, and was organized at the headquarters of Baron Steuben, near Fishkill, New York. Washington was made the first president, and he continued to hold the office until his death. The society was composed of the officers of the Continental army, and its object was to promote friendship and to aid any of the members that might be in want. To perpetuate the society it was provided that the eldest male descendant of each of its members should be entitled to membership. The badge of the order was the figure of an eagle in gold, on the breast of which was a medallion representing Cincinnatus at his plow receiving the Roman senators. There was a great outcry from the people against the Cincinnati. It was believed that this was the beginning of an order of nobility, or at least of an aristocracy that would ever hold itself above the common people. But this fear was all unnecessary, for while the society still exists, it plays but a small part in the social life of America.

State Governments. — The states had been authorized by Congress, as stated before, to form governments; and each had adopted a constitution, except Rhode Island and Connecticut, which merely dropped the king's name from their public documents. The states, thus suddenly clothed with unusual powers, naturally took much pride in their new condition; and this state pride, as noted in the text, made the forming of a union exceedingly difficult. But it is a remarkable fact that in few cases was this newly acquired liberty so abused as to produce anarchy or violence. The cause of this cool-headed, conservative manner in which the states set about governing themselves is twofold: first, the fact that the people had long enjoyed a large measure of liberty and knew how to use it; second, the instinct for order and the reign of law that characterizes the Anglo-Saxon race. The legislative assemblies of the old days were continued by the states, the members representing the counties, except in New England, where they represented the townships. There was also an upper House or Senate (added in Pennsylvania and Georgia a few years after the war) in each state, and a governor, except in a few states where an executive council at first took the place of governor. But in framing their first state constitutions the people remembered their troubles with the old royal

governors, and gave the new governors but little power. The judicial systems remained much the same as under the colonies. In every state a property qualification was required of voters, and in many a religious test was applied. Universal manhood suffrage was a gradual growth, and came with a later generation.

CHAPTER XVII

THE CONSTITUTION

THE Constitutional Convention met in the same city, the same building, and the same room from which had issued the great Declaration of Independence eleven years before. It was composed of the best brains of the land, though a few of the leading characters were conspicuously absent. John Adams and Thomas Jefferson were serving their country in Europe; Patrick Henry had been elected, but he refused to serve, so wedded was he to state rights; and we look in vain for Richard Henry Lee, for Samuel Adams, and for John Hancock, all of whom feared a stronger government, lest the sovereignty of the states and the liberty of the people be endangered.

THE MEN THAT MADE IT

An abler body of statesmen has not assembled in modern times than that which made our Constitution in 1787, nor has any assembly met with truer motives, or produced a grander result. The whole number of delegates was fifty-five,* and there was scarcely a man among them who had not been distinguished in the state or in the field, who had not been a governor, a member of Congress, or a commander in the army. A few had served in the Stamp Act Congress in 1765, others had set their names to the immortal Declaration in 1776, and one had framed the plan

* A few others had been elected who did not attend.

of union at Albany in 1754. Could these men have looked into the future, they would have seen two of their own number become Presidents of the United States, one a Vice President, and many others foreign ministers, members of the Supreme Court, Cabinet officials, and United States senators. These were the men who founded the Republic and started it upon its marvelous course of prosperity.

First among the framers of our Constitution stands Washington, the soldier-statesman, and next to him we must place Franklin, the philosopher and diplomat, and the oldest member of the convention. Among the most conspicuous members was John Dickinson, who was remembered for having honestly opposed the Declaration in 1776, but whose sincere patriotism could never be questioned. The most learned lawyer in the convention was James Wilson of Pennsylvania, afterward justice of the Supreme Court. For profound knowledge of constitutional law few surpassed the youthful Madison of Virginia, who came to be called the "Father of the Constitution"—not that he framed it, for it was the work of many, but because he had perhaps more to do in making it what it is than any other man. Scarcely below Madison stood the still more youthful Hamilton of New York, destined to a brief, brilliant political career, to be ended in its noonday at the hands of the duelist. In this convention we find Robert Morris, the financier of the Revolution, and Gouverneur Morris, the author of our decimal system of money. We find here Edmund Randolph, the popular governor of Virginia, who, as a patriot youth with a Tory father, had run away from his home, joined the army, and served through the war, and who, returning home, had found himself one of the

most popular men in the state. He rose to the governorship, and afterward became a member of the first Cabinet in the new government. Here also were John Rutledge, the brilliant orator of South Carolina; Charles C. Pinckney, afterward a member of the famous mission to France and twice candidate of his party for the presidency of the United States; Roger Sherman, the shoemaker statesman from Connecticut; Rufus King, who was yet to spend many years in the forefront of political life; Elbridge Gerry, whose name furnished us with the political term "gerrymander," who spent many later years in public life, and who held at his death the second official position in the United States. These were the leaders of the notable assemblage that gathered at Philadelphia for the purpose of forming a more perfect union, of laying the foundations of a nation.

BUSINESS OF THE CONVENTION

On May 25, 1787, the convention held its first regular session, though some of the delegates did not arrive for several weeks. George Washington was chosen chairman, and the doors were closed to the public.⁶⁴ As was generally expected, the convention made no attempt to amend the Articles of Confederation; it proceeded at the outstart to frame a new instrument.

⁶⁴The members pledged themselves to secrecy, as they wished to present their work to the public, not in fragments, but as a whole. Madison, however, took elaborate notes of the proceedings, and his notes were published only after his death, fifty years later. Many were the speculations of the people as to what the convention would do, and the members were deluged with letters from their constituents. Would they set up a kingdom? would the country be divided? would Rhode Island be cast out of the Union for not taking part? and many other such questions came from the people.

Many of the delegates were ready to temporize, to deal in half measures, to produce an instrument that would "please the people." Others favored doing thorough work, abolishing the Confederation and founding a federal republic. Among these was Washington; and he carried the day in a brief speech—one of the noblest speeches he or any statesman ever uttered. "If, to please the people," said he, "we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and the honest can repair; the event is in the hand of God."

The Virginia delegates had carefully framed a form of government, which had been drawn up by Madison after consulting with others, and it was presented to the convention by Governor Randolph. This "Virginia Plan" provided for a complete change of government, for the formation of a federal union, with three coördinate branches of government—a legislative, an executive, and a judicial; and, most radical of all, it provided that the individual, and not the state as such, be directly responsible to the general government.

So radical were the changes proposed by this plan that it called forth another known as the New Jersey Plan, or the small state plan. This was presented by William Paterson of New Jersey.⁹⁵ It was a mere proposal to amend the Articles of Confederation. It provided for a plural executive and a judicial department, and gave enlarged powers to Congress. But it gave the small states equal power in Congress with the large ones, and continued the

⁹⁵ Two or three other plans, or partial plans, were presented, but not considered. One of these, presented by Hamilton, was almost monarchical in its tendencies.

old way of making the state instead of the citizen responsible to the nation. This plan, however, was defeated; and the Virginia plan, after many modifications, became the Constitution of the United States.

The long debates, which it is needless for us to follow, often became bitter, and on two or three occasions the convention came near breaking up. So unlike were the interests of the various sections represented that the delegates could agree only by compromising; and our Constitution is founded on three great compromises, the first of which was between the great and the small states.

Under the old Confederation the states had each one vote in Congress, regardless of size, wealth, or population; but the Virginia plan now proposed that the states be represented in the Congress, consisting of two houses, according to population or wealth. Instantly the small states were up in arms. The greatest state, Virginia, would then have sixteen votes, while Georgia or Delaware would have but one. No, they would submit to nothing of the sort; the large states would combine against the small ones, and the voice of the latter would not be heard in national affairs, and they would be reduced to a subordinate position. After a long, wrangling debate on this subject a compromise was reached. It was agreed that in the lower House the representation be based on population, while in the upper House, or Senate, each state be equally represented without regard to its population, wealth, or its territorial extent.* Thus each state has two senators, while in the House of Representatives the number of its delegates is determined by its

* At this juncture Yates and Lansing of New York, and a little later Luther Martin of Maryland, all of the extreme state rights party, went home in disgust.

population. The senate, therefore, was intended to represent the states, and the House the people.

The second compromise was between free and the slave states. The Northern states all had slaves before the Revolution, but they were now obviously drifting toward emancipation, while the institution was strengthening in the far South; and the dispute that arose in the convention over slavery was the beginning of that long and dreadful conflict which covered three fourths of a century and ended in a final appeal to the sword. The quarrel over this point was sharp and passionate, but it ended in compromise. Before it was decided whether to base the lower House on population or on wealth the question arose, Are slaves population or wealth? The northern delegates contended that as slaves had no vote and were bought and sold like other property, they should not be counted in the census that made up the representation in Congress, and in laying taxes. The South objected to this, declaring that all the slaves should be counted; and there was a deadlock. Madison suggested that, by way of compromise, three fifths of the slaves be counted. The South agreed to this, and the practice continued to the Civil War.

The third compromise, between commercial and agricultural states, also touched upon the slavery question. New England desired that Congress be given full control over foreign and interstate commerce. The southern delegates, fearing an export tax on farm products and a prohibition of the slave trade, desired that each state control its own commerce, as under the old régime. Another deadlock ensued. Before this question was settled another arose: Shall the African slave trade be prohibited? A large majority of the delegates opposed the foreign slave trade, and

would have shut it off forever; but South Carolina and Georgia objected in thunder tones. They must have a constant supply of blacks for the rice swamps, they said, and they would not join the Union if the question were decided against them. The debates were fierce and the convention seemed on the verge of dissolution, as it had been several times before. Could a union really be formed? Some of the wisest men feared that their efforts would result in failure. Rhode Island had taken no part in the convention; the New York delegates had gone home in anger; Massachusetts was uncertain. If now the Southern states refused to join, it was certain that no union could be formed.

Two important questions were now before the House and again harmony was restored by compromise. The South yielded to New England, and Congress was given control over commerce (except that it was forbidden to lay an export tax); the North yielded to the slaveholders, and the African trade was left open, not forever, but until the year 1808.

The most arduous work of the convention was now at an end, but many minor matters remained to be settled. The creating of a Supreme Court; the relations of the two houses of Congress to each other and of both to the executive; the powers of Congress, of the executive, and of the judiciary; the length of the various terms of office,—these and many other things were fully debated, and were at length decided as we have them in the Constitution.⁹⁷ It was decided that there be but one executive (though some preferred a plural executive), and that he should be styled

⁹⁷ Some of these questions, however, had been debated from time to time, and were decided before the three great compromises were fully disposed of.

the President of the United States of America. It was also decided that he be elected by Congress for a term of seven years, and that he be ineligible for reëlection. Thus the matter rested for several weeks, when it was again taken up. Many objected to the electing of the President by Congress, as he would then be but a creature of that body and subservient to its will. The same objection was urged against his election by the state legislatures. An electing by a general vote of the people was favored by but one state—Pennsylvania. At length it was decided that the President be elected for four years, that he be eligible for re-election, and that the choice be made by an electoral college created for the purpose, and dissolved, after doing its work, into the great mass of the people, so that the President would be responsible to the people alone. This feature was borrowed from the constitution of Maryland.

No part of the Constitution was more earnestly and honestly considered than the method of electing the President, and no part of it is now carried out with such an utter disregard of the spirit and intention of the framers. It was intended that the electors use their discretion in choosing a President; but the people, as they grew more intelligent and divided into political parties, took the business of president-making into their own hands, retaining the electoral college, now a lifeless piece of machinery, only to carry out the letter of the law.

The Constitution of the United States is by far the most important production of its kind in human history. It created, without historic precedent, a federal-national government. It combined national strength with individual liberty in a degree so remarkable as to attract the world's admiration. Never before in the history of man had a

government struck so fine a balance between liberty and union, between state rights and national sovereignty. The world had labored for ages to solve this greatest of all governmental problems, but it had labored in vain. Greece in her mad clamor for liberty had forgotten the need of the strength that union brings, and she perished. Rome made the opposite mistake. Rome fostered union—nationality—for its strength until it became a tyrant, and strangled the child Liberty. It was left for our own Revolutionary fathers to strike the balance between these opposing tendencies, to join them in perpetual wedlock in such a way as to secure the benefits of both. A century of experience, it is true, was needed to adjust this balance as we now have it, but the whole substructure to our national edifice was laid at Philadelphia in 1787.

Yet there is little in our Constitution that was created by its framers. Much of it is as old as Magna Charta, says Mr. Bryce. The words of Mr. Gladstone, that it is the greatest work ever struck off at any one time by the mind and purpose of man, are in one sense misleading. The work was not struck off at one time. The framers of the Constitution gleaned from history, from the mother land, and especially from the various state constitutions. As noticed in a former chapter, the earliest colonial governments were based on the charters of trading corporations; the colonial governments were then transformed into the earliest state constitutions, and these became the basis of the federal Constitution.⁹⁸

It will be interesting here to notice the sources of a few

⁹⁸ This subject is ably discussed by W. C. Morey in a series of articles in the "Annals of the American Academy of Political and Social Science," Vols. I and IV.

of the features of the national Constitution. From the constitution of Maryland we have a small Senate with a long term of service, and the idea of an electoral college for choosing a President and a Vice President;⁹⁹ from the constitution of New York, the periodic readjustment of the representation after each census, and the Vice President's duty to preside over the Senate and to vote only in case of a tie.¹⁰⁰ From the constitution of Massachusetts were derived the powers and duties of the two houses with respect to impeachments.¹⁰¹ The power of the executive to veto an act of the legislature and the requirement of a two-thirds affirmative vote for its repassage were in use in Massachusetts. A few features, as the judiciary system, the short term for the lower House, and the single executive, were common to nearly all the states. Other features, as army appropriations limited to two years, are analogous to English customs;¹⁰² while the two-chambered legislature had its models in Parliament, and in all but two states.

We find in the Constitution a few features original with the framers, such as the isolated position of the President, the basing of representation on population, and many minor details. But on the whole the instrument was a compilation, not an original production. It was the culmination of the institutional growth of two centuries—a tree with trunk and branches purely American, grafted on an English root. The framers of our Constitution were very wise

⁹⁹ Maryland chose her senators through an electoral college composed of two persons from each county.

¹⁰⁰ New York's lieutenant governor had this power.

¹⁰¹ J. H. Robinson, in "Annals of the American Academy of Political and Social Science," Vol. I, p. 219.

¹⁰² "Federalist," No. 61.

—too wise to draw on their imagination, or to base the government of a nation on theory. No man, or body of men, can create systems of government. They must grow. Had these men attempted to create a chimerical structure, their work would have been valueless. But they displayed great wisdom in selecting the best things that had been tried and proved, and in but few points did they choose unwisely. Hence their great success. Hence the astonishing fact that this same Constitution is still the supreme law of the land, and is more deeply imbedded in the American heart to-day than ever before.

The new instrument differed from the old Articles chiefly in creating three great coördinate departments—legislative, executive, and judicial; in making the citizen rather than the state amenable to national law; and in withholding from the states, and vesting in the national government, powers the exercise of which pertains to the whole people—to coin money, to wage war, to deal with foreign nations, to lay a tariff, and the like. One of the most important clauses in the Constitution is the “supreme law” clause, by virtue of which the Supreme Court came to exercise the power to interpret the Constitution, and to pronounce upon the constitutionality of the acts of the legislative branch of the government, a remarkable power, enjoyed by no other judicial body in the world.

The great work of the convention was completed, and the document was signed by thirty-nine delegates on the 17th of September. It did not fully meet the ideas of any one; each had yielded his convictions at some point. But it was believed to be the best attainable at the time, and all the delegates except sixteen, all but three of whom had de-

parted for their homes,¹⁰⁸ put their names to it, not one of them perhaps believing that it would stand for half a century.

After providing for amending the Constitution, and for its going into operation when nine states should ratify it, the delegates sent it to Congress, then sitting in New York. That body sent it forth to the various states without a word of approval or disapproval.

THE CONSTITUTION BEFORE THE PEOPLE

The ship Constitution had experienced a rough voyage thus far; but the most dangerous breakers were still ahead. Nearly half the people opposed the new plan of government, and a bitter contest resulted. Those favoring the Constitution called themselves Federalists, while they dubbed their opponents Anti-federalists. The cry of the Anti-federalists was that the new government would be too strong and too centralizing. There was a vague fear that Congress would become a tyrant, would crush the liberties of the people and tax them without their consent, as England had attempted to do before the war. The farmers cried out that the lawyers and men of wealth would control the government and would swallow the common people like a great leviathan. Among the opponents we find such leaders as Patrick Henry, Richard Henry Lee, and George Clinton; and, in a milder degree, Samuel Adams and John Hancock. These men were sincerely honest in their opposition; but they labored at a serious disadvantage in that their position was purely negative—they had nothing to offer instead of the plan they sought to defeat. The Federalists were not very

¹⁰⁸ Randolph and Mason of Virginia and Gerry of Massachusetts were the three remaining delegates who refused to sign.



1732—RICHARD HENRY LEE—1794.

BY CHARLES WILLSON PEALE, 1791.

**From the original portrait in Independence Hall, old State House,
Philadelphia.**

enthusiastic in their praise of the Constitution; but they asserted that it was the best attainable, that disunion and anarchy would prevail if it were rejected, and that the fears of its opponents were groundless, as the government would still be in the hands of the people. The most powerful argument for the Constitution was brought out in a series of papers, written mostly by Hamilton,¹⁰⁴ and since known collectively as "The Federalist." On the other side Richard Henry Lee was the foremost writer.

Some of the state conventions, chosen to consider the new plan, wrestled for weeks over the subject, while others ratified it after a few days' debate. Delaware won the honor of being first to ratify it, the action being unanimous. Pennsylvania came second. In this state the people were almost equally divided, but the Federalists held a "snap" convention and won the day, after a fierce contest. New Jersey came third, and, like Delaware, ratified the plan by a unanimous vote. These three states had acted in December, 1787, and the new year brought others, month by month, into the Union. Georgia was bounded on the south by troublesome Spaniards, and on the west by hostile Indians. The people of the state therefore gladly accepted the promised protection of a stronger government; they ratified it without division on January 2, and Connecticut followed a week later.

Thus within four months after the breaking up of the convention that had framed it, the new Constitution was adopted by five states. But now came a halt. The Antifederalists had been half asleep. Now they roused themselves and formed in line of battle for a more determined opposition; and many a time during the coming months it

¹⁰⁴ Madison wrote several of the papers and John Jay a few.

seemed that the new Republic would die while being born. It was left for the great state of Massachusetts to turn the scale. Next to Virginia, her weight was the greatest among the states. Her convention sat for several weeks and discussed the Constitution, article by article, and it would doubtless have been rejected but for two things—the wholesome lesson taught by the insurrection led by Daniel Shays, and the ultimate conversion of Samuel Adams. Adams was extremely democratic in his theory of government. He feared too much centralization of power, and at first opposed the new plan. But he was an honest soul; he reflected that a rejection of the Constitution, with nothing to offer in its place, might be disastrous. During the early weeks of the convention he sat meditative and silent. Many turned to him as children to a father, to decide the momentous question. And further, a committee from a great meeting of artisans, headed by Paul Revere, famous for his midnight ride of years before, came to Adams with a series of resolutions begging him to favor the new government. Adams was deeply moved, and at length he decided for the Constitution. John Hancock experienced a similar conversion, and Massachusetts soon after ratified the new plan by a narrow majority, proposing at the same time a series of amendments in the nature of a bill of rights. Maryland and South Carolina followed late in the spring, and but one state was now wanting to insure the formation of the Union. The Old Dominion, which had called the Annapolis convention and had taken the lead in furnishing the plan of government at Philadelphia, still held aloof. Even more powerful than in Massachusetts was the opposition in Virginia. Arrayed on the negative side we find George Mason, who had helped to frame the Constitution and had then re-

fused to sign it, Richard Henry Lee, who had opposed it from the beginning, and Patrick Henry, the orator of the Revolution. Against these were the weighty influence of Washington, the keen logic of Madison, and the powerful judicial mind of the rising Chief Justice, John Marshall. Jefferson, who was then in France, wavered and hesitated to give his support, and the Anti-federalists were quick to claim him as their own; but, like the great New England democrat, he at length came to favor the Constitution and gave it his hearty support, urging at the same time that it be carefully amended.¹⁰⁶ His letter conveying these views reached Madison early in June, while the convention was in session, and had its weight in the final decision. The vote was taken on June 25, and the new plan received a majority of ten in a vote of one hundred and sixty-eight delegates. But Virginia did not become the ninth state; New Hampshire preceded her by four days. The Union was now assured. The Federalists rejoiced exceedingly. The coming Fourth of July became a day of jollification, especially in Philadelphia, where the street spectacle surpassed any before seen in America.

The importance of New York to the Union was incalculable. It was the commercial center of the country. It alone bordered the great lakes and the ocean. A majority of the people, led by Governor George Clinton, opposed the Union. Hamilton led the other side. For many months it seemed that the state would refuse to ratify the Constitution; but when she was about to be isolated from the rest of the country, her people began to reflect more seriously, and late in July, 1788, the convention was carried by the Federalists. At the same time it called for a new national convention to

¹⁰⁶ Fiske's "Critical Period," p. 351.

frame a better Constitution; but little heed was paid to this call, and it came to naught.

Two states, North Carolina and Rhode Island, owing to their paper money heresies, still remained sullenly out of the Union, the former adjourning its convention without action, the latter refusing to call a convention. But at length, after the first amendments to the Constitution had been assured, and after the new government had been organized, and the President seated, and when the United States revenue laws were about to be enforced against them, these states sought admission to the sisterhood, and the whole thirteen became united in one strong government. Never before had any people wrought so great a political revolution without bloodshed. From a loosely bound confederacy that lacked the power of governing, the people, deliberately, thoughtfully, without drawing a sword, with no pressure from without, banded together and founded a nation, and based it on a firm and abiding foundation. Never did the American people so exhibit their moderation, their capacity for self-government, as when they adopted the Constitution.

THE FIRST PRESIDENT

In our days it is not possible to foretell absolutely who will be our next President; only the coming together at the polls of the great political forces of the nation can determine it. In 1789 the case was different. All eyes turned instinctively to the great chieftain who had led the armies to victory, and who had shown himself a statesman as well as a soldier. The electoral colleges were made up of men chosen by the different states, mostly by the legislatures. The old Congress had decided that the electors be chosen on the first Wednesday in January, 1789, that they meet and

choose a President and a Vice President on the first Wednesday in February, and that the new government go into operation on the first Wednesday in March—which happened that year to be the fourth.¹⁰⁶ North Carolina and Rhode Island had not yet joined the Union; New York had trouble in her legislature and failed to choose electors; the first President was therefore elected by the votes of ten states. Washington received the votes of all—sixty-nine. The rest of the votes were scattered among eleven men, and John Adams, receiving the highest number, thirty-four, was declared Vice President.¹⁰⁷

Washington was doubtless ambitious, as other men are; but he had reached the goal. No other man of his age had won so great a fame, and now at the approach of old age he had retired to his rural home on the banks of the Potomac, desiring to spend there the remainder of his days, as his private correspondence shows. But the call of a whole people to this new duty he could not decline.

The 4th of March came, and the boom of cannon and the ringing of bells sounded the knell of the old government that was dying, and announced the ushering in of the one that was being born. New York City had been chosen as the first temporary capital, and thither repaired the newly elected members of Congress. But the distances for many were long, and the roads at that season were wretched. There was not a quorum present on the 4th of March. It

¹⁰⁶ A few years later the 4th of March was made the legal inauguration day by act of Congress.

¹⁰⁷ The Constitution directed that each elector vote for two persons without designating which should be President or Vice President. This was changed by the Twelfth Amendment, of 1804, which provides that the President and Vice President be elected separately.

was not until the 1st of April that the new House held its first session, the Senate meeting five days later. The first business was going through the formality of notifying the newly chosen President and Vice President of their election. This done, Congress fell to discussing a tariff measure; but the discussion was soon interrupted by the inaugural ceremonies.

Adams, arriving first, was quietly inaugurated on April 18. Washington's journey from his Mount Vernon home to New York was like a triumphal march. The people gathered in uncounted numbers along the route to do honor to the hero. At Philadelphia and Trenton the most elaborate preparations were made for his reception.¹⁰⁸ Reaching Elizabeth Point, New Jersey, he was met by many distinguished citizens, and with an improvised fleet, Washington in the midst on a barge built for the occasion, they swept up the beautiful bay on that sunny Thursday to greet the expectant city. New York had donned holiday dress. The streets were thronged, and thousands were gathered along the wharf at the Battery, eagerly awaiting the approaching vessels. As Washington stepped from the barge he was greeted with an outburst of welcome, that spread like a rolling billow over the city.

One week later, on Thursday, April 30, the inauguration took place at Federal Hall, on the corner of Broad and Wall streets. At noon Washington, accompanied by Livingston and Adams, stepped out on the balcony and stood in the presence of a vast multitude that filled the streets, the house-tops, and the windows, and the cheers that arose were deafening. Just behind him stood Hamilton, Roger Sherman, and three Revolutionary generals—Knox, Steuben, and St.

¹⁰⁸ For a fuller account see Elson's "Side Lights," Vol. I, Chap. III.

Clair,—and these were followed by both houses of Congress. Livingston pronounced the oath of office; Washington bowed and kissed the Bible, and said in a deeply solemn and scarcely audible voice, "I swear, so help me God." His countenance was grave almost to sadness, reported an eyewitness. Livingston turned to the crowd, waved his hand, and shouted, "Long live George Washington, President of the United States;" and the voice of the multitude rose in cheer after cheer, the artillery roared from the battery, and bells were rung all over the city. Thus was the United States of America, under its first President, launched upon the ocean of national life.

NOTES

Constitutional Amendments.—The Constitution provides for its own amendment, but the process is so difficult that little short of a great national upheaval can bring about an amendment. At first, however, when nobody was satisfied with the Constitution, the case was different. Seven of the states on ratifying it proposed amendments, in the aggregate over a hundred, many being mere repetitions. These were duly considered by the House, which boiled them down to seventeen, and the Senate reduced this number to twelve. These were sent to the states, which ratified ten of them. These first ten amendments were added to the Constitution before the close of 1791. They were practically a bill of rights, and their adoption was a concession to the Anti-federalists. The Eleventh Amendment was adopted in 1798 and the Twelfth in 1804. After this, the Constitution was not amended for sixty-one years, the last three, concerning negro slavery and citizenship, following the Civil War.

Within the first hundred years more than eighteen hundred proposed amendments were introduced in Congress. Aside from the fifteen that were adopted, four others passed both houses, but failed of ratification by the requisite number of states. (Ames, "Proposed Amendments," p. 300.) The difficulty of amending the Constitution has been partially met by its elasticity, by a method of interpretation by which it meets the needs of to-day almost as well as those of the time when it was adopted. This is clearly shown by our method of electing a

President. But we are yet without a remedy for the obvious unfairness in counting the minority vote of any state for nothing in a presidential election.

Defects in the Constitution. — A century of experience has taught us that there are some serious defects in the Constitution which cannot be corrected by mere custom, but the machinery of amendment is so difficult to manipulate that we suffer them to remain. One of the most serious defects is that foreigners dwelling within the bounds of a state are subject to the jurisdiction of that state, as its own citizens, while the state has no foreign relations whatever. The most conspicuous example in history was the case of McLeod, a Canadian who was tried in 1841 in New York for destroying the *Caroline*. England was demanding his release of the United States; but the United States had no power to command New York to give him up, and New York had no relations with England. War was averted only by the acquittal of the prisoner. Another example is found in the massacre of a number of Italians in New Orleans in 1891. This defect, which arises from our dual system, could be remedied by an amendment authorizing the national government to take any case of a foreigner, requiring international correspondence, out of the hands of any state. Another defect is found in the clause that requires a majority, instead of a plurality, of the electoral college, to elect a President and a Vice President, and in case of its failure to elect, a majority of the states (each state having one vote) to elect in the House. Were there three instead of two great political parties, both the college and the House might fail to elect, and serious trouble might be the result. If a plurality could elect, a failure would be almost impossible. There are also minor changes that doubtless a majority of the people would like to see brought about, as electing the President by direct vote of the people, giving him a longer term without eligibility for reelection, giving him power to veto items in appropriation bills, the election of United States senators by popular vote, giving Congress the control of divorce laws, and the like. But many years will probably pass before such changes are made.

CHAPTER XVIII

TWELVE YEARS OF FEDERAL SUPREMACY

THE inauguration of Washington differed from all succeeding inaugurations in time, place, and ceremonies. No other was held in New York, no other in April,¹⁰⁰ and no other was attended with such ceremony. Throughout his administration Washington maintained a dignity that at this day would seem ridiculous. When he held receptions or levees, he stood in a large reception room, clad in black velvet, wearing yellow gloves, and knee and shoe buckles, his hair heavily powdered and done up in a silken bag. In one hand he held a cocked hat adorned with a black feather, and at his side he wore a long sword in a white scabbard of polished leather. He bowed stiffly to his guests and did not shake hands with any one. He drove along the streets in a fine coach drawn by four or six white horses, with footmen in bright uniform. Washington's ceremony did not indicate that he desired to hold himself aloof from the common people or to dazzle them with his person. He honestly believed that such a course was necessary to maintain the dignity of his office. Nevertheless, Washington was a natural aristocrat, and it was not difficult for him to assume the dignity almost of a European monarch.

He took the oath of office, as we have stated, in the presence of the multitude, but he read the inaugural address a

¹⁰⁰ Except the accidentals of Tyler and Johnson.

few minutes later within the senate chamber, and at its conclusion the whole body proceeded to St. Paul's chapel on Broadway for a religious service. A few days later the Senate and House marched in stately pomp to the President's house, and made formal replies to his inaugural. The same practice was followed with reference to the annual message; the President delivered it orally to the assembled Congress, and the latter made a formal answer a few days later. This custom was in vogue for twelve years, when Jefferson abolished it and instituted the present method of sending a written message, requiring no answer. The practice of delivering the inaugural address in person and orally has, however, come down to us unchanged.

For a hundred years no President has officially appeared before Congress in person except at memorial services and the like. It was different in Washington's time, and at least on one occasion Washington entered the senate chamber, took the Vice President's chair, and urged the passage of a certain measure.¹¹⁰

THE FIRST CONGRESS

No Congress in our history, with the possible exception of the one that assembled in 1861, has had devolving upon it such vast responsibilities as that which assembled in the spring of 1789—the First Congress.

The Constitution was but an outline of a government, a skeleton to be clothed with flesh and blood, and to receive the breath of life. The duty of making the new government a living thing fell largely to the First Congress. Many acts of this Congress were of permanent importance and are still in force, such as the creating of a Cabinet and of the

¹¹⁰ See Maclay's Journal; Hart's "Contemporaries," Vol. III, p. 265.

judiciary system, the establishing of a financial basis for the country, and determining the location of the national capital.

The body of men that composed the First Congress was notably inferior to the body that had framed the Constitution two years before. We note the absence of the venerable Franklin, of the President, of James Wilson, of Hamilton—all of whom were leading figures in the Constitutional Convention. Yet there were good men in this Congress.

In the Senate we find Robert Morris, Richard Henry Lee, George Read, and Charles Carroll, signers of the Declaration; Ellsworth of Connecticut, Paterson of New Jersey, Rufus King,—lately from Massachusetts, now of New York,—and General Schuyler. In the House also we find some strong men. There was Madison, who became the leader on the floor. He, a future President, had in a hot canvass defeated another future President, James Monroe, and the latter entered the House soon after to fill a vacancy caused by death. There was Frederick Muhlenberg, the Speaker, son of the famous Lutheran patriarch of Pennsylvania; Jonathan Trumbull of Connecticut; Sumter, the famous South Carolina fighter; and Fisher Ames of Massachusetts, who was to thrill the nation a few years later with an outburst of eloquence unequaled in that generation.

The first important business of Congress was to frame a tariff measure. The new government had inherited a heavy debt. Under the old Articles, the Congress had made repeated efforts to raise money by laying a duty on foreign imports, but the consent of all the states was needed, and one after another had objected, and every effort came to naught. But now no refractory state had power to thwart the will of the nation. For the raising of revenue, therefore, and for the encouragement of infant manufactories, it was

proposed to lay a general tariff on foreign imports. The measure became a law on July 4th, and is known as the Tariff of 1789. With occasional amendments, generally slightly increasing the rates, it was in force until 1812, though inoperative during the embargo. Its duties were low compared with those of our own times, the highest being 15 per cent, with a general average of about $8\frac{1}{2}$ per cent. This tariff proved a boon to the country. In a short time it was yielding \$200,000 a month, a sum amply adequate to cover the expenses of the government, and to pay the interest on the public debt.

The second great act of the First Congress was the creating of a Cabinet. The Constitution made no provision for a President's Cabinet as we now have it; but it recognized that such was to exist,¹¹¹ leaving all details to the action of Congress. Three departments were created at the first session of this Congress, or rather they were continued from the old government under new designations. The head of the department of foreign affairs was called the Secretary of State, that of the department of finance, the Secretary of the Treasury, and that of the war department retained the old name, Secretary of War. Washington had decided not to call any one into his official family who was not well known to the people and trusted by them. Thomas Jefferson, who had been minister to France, was chosen secretary of state. Alexander Hamilton was made secretary of the treasury, and General Henry Knox secretary of war. These men were not appointed until September, nearly five months after the inauguration. A little later

¹¹¹ Art. II, Sec. 2. These were intended to be simply heads of departments, but custom has made them also advisers to the President.



1750—HENRY KNOX—1806.

BY CHARLES WILLSON PEALE, 1790.

From the original portrait in the old State House, Philadelphia.

Edmund Randolph was appointed attorney general, and he became the fourth member of the Cabinet.¹¹²

Another act of the First Congress that is still in force was a bill organizing the Supreme Court. It was drawn up by Oliver Ellsworth, who afterward became the second Chief Justice. The first Supreme Court was composed of a Chief Justice and five associates, the first Chief Justice being John Jay of New York. The federal judiciary, unlike the Cabinet, was specially provided for in the Constitution. It was created by an act of Congress, and the members are appointed by the President; but the Court is independent of both, and even has authority to sit in judgment on the constitutionality of their acts.¹¹³

Many other measures of this Congress, important at the time, were made into law, and gradually that body won the confidence of the people. Washington made a vacation tour to New England, and another to the South, and was received with universal applause. The crops were abundant, the people were happy, and the nation was rising to a point of respectability. It was left for the second session of Congress, beginning in December, to bring the first hitch in the machinery of government; this came through the treasury report of Secretary Hamilton.

Of the great financiers in the history of our country, the ablest, beyond a doubt, was Alexander Hamilton. By far

¹¹² Our present Cabinet is composed of nine members. The Secretary of the Navy was added in 1798; the Postmaster General was admitted to the Cabinet in 1829, though his office dated back to colonial times; the Secretary of the Interior was added in 1849, of Agriculture in 1889, and of Commerce and Labor in 1903. Thus the Cabinet has grown as the business of the country demanded.

¹¹³ Inferior courts were also organized at this session. These are created by Congress as needed; they do not enjoy the independence of the Supreme Court.

the most difficult position in the first Cabinet was that of the treasury, and the President made a happy choice in giving it to Hamilton. "He smote the rock of national resources," said Daniel Webster, "and copious streams of wealth poured forth. He touched the dead corpse of public credit, and it stood forth erect with life." But the recommendations of Hamilton awakened much opposition. His report to Congress showed that the public debt amounted to some \$54,000,000, of which about \$12,000,000 were owed to foreign creditors, chiefly to France, the rest to creditors at home who had loaned their money to the government during the war. This seemed a great burden to the young Republic; but the most surprising part was yet to come. The states had sent forth troops, each at its own expense, to fight the British. They had thus incurred heavy debts. Parts of these had been paid, but there was still unpaid an aggregate exceeding \$21,000,000. Hamilton proposed to add this to the national debt (making \$75,000,000 in all); and recommended that the national government assume the state debts, and thus relieve the states from payment.

There was an immediate outcry against assumption. It arose from two causes. One was that some states had paid a large portion of their Revolutionary debts, while others had paid little. Assumption would therefore be unfair to the former. This objection was superficial; the other was deep, and involved a principle. Assumption of the state debts would belittle the states and rob them of their so-called sovereignty. It would subordinate them and transfer the interest of the moneyed class from them to the general government, for "where the treasure is, there will the heart be also."

This was exactly what Hamilton desired. He cared noth-

ing for state sovereignty—not even for state rights. He wished to centralize and strengthen the general government, and to do this he knew that there was no better method than to enlist the interest of the rich men of the country by making it their debtor.¹¹⁴ But so great was the opposition that the measure could not pass the House, and before the question was settled another one arose. The other question was, Where shall the national capital be located? A separate city was desired. The handful of soldiers who, a few years before, had swooped down from Lancaster and driven Congress out of Philadelphia, settled that point. Philadelphia and Pennsylvania had refused, or were unable, to protect the Congress. Everybody seemed to sympathize with the soldiers. A separate city, therefore, governed solely by Congress and not by any state, was necessary. To this all agreed; but where should it be built? The southern members preferred to have it in the South; the northern members wanted it in the North. It was generally agreed that it should be on the bank of one of the three great rivers—the Delaware, the Susquehanna, or the Potomac. Jefferson favored placing the capital in the South. Hamilton had no sectional pride; his mind was still on assumption. One day he proposed a trade with Jefferson. He offered to favor placing the capital in the South, if Jefferson would favor

¹¹⁴ To make this plainer: Suppose a number of brothers, each in business for himself, each owed you a sum of money. You would be anxious that they succeed, because your money was invested. But suppose their father assumed these debts and made himself responsible for their payment. Your interest would at once be transferred to the business of the father. Again, suppose a business man finds it difficult to pay his debts and a rich friend does it for him. He is relieved of his debts, but he loses his independence. Thus the states would lose a portion of their importance if assumption were carried. One of the sources of strength in a government is a moderate national debt.

the assumption of the state debts. Jefferson agreed. Each had a strong following in Congress, and it was not long till both measures were passed. The national government assumed the state debts, and the capital was placed on the banks of the Potomac River.¹¹⁵

Hamilton also secured the passage of a funding bill, by which the debt was changed into interest-bearing bonds, and with this he secured a guarantee from Congress that all outstanding certificates should be paid at their face value. These had been given out instead of cash during the war to men who furnished the army with supplies and who served in its ranks. During the intervening years many had sold their certificates, from necessity or distrust of the government, at a rate far below the face value. It was objected that the speculators, and not the old soldiers, would profit by this act, if the government paid these at full value.¹¹⁶ But Hamilton urged that it was necessary to establish the national credit on an unimpeachable basis, and to teach the old soldiers a lesson—not to distrust their government again. He carried his point, and from that day the credit of the United States was firmly established.

Two more great measures must be attributed to this financial genius—the excise, and the establishing of a United States Bank. The excise, an internal revenue on distilled spirits, passed after a considerable opposition had been over-

¹¹⁵ New York was the temporary capital but one year, when the government was transferred to Philadelphia, where it remained for ten years (1790-1800).

¹¹⁶ When this act was proposed, and before the news of it reached distant parts, speculators went around and bought up certificates at the lowest possible price, some as low as one sixth of their face value. Hamilton was accused of being interested in this business, but the charge was altogether groundless.

come. The bank was still more seriously opposed. It was to have a capital of \$10,000,000, one fifth of which was to be subscribed by the government, the remainder by the people in shares of \$400. The bank was to supply the people with a circulating medium, and to loan the government money when needed. The opposition was formidable, but it was borne down and the bill was passed. The bank was chartered for twenty years.¹¹⁷ Thus within a year and a half Hamilton had secured, in the face of the opposition of the state rights party, the passage of four great measures,—assumption, funding of the debt, the excise, and the bank charter,—all tending to the centralization of power.

The first serious test of the Constitution came in the summer of 1794 in the form of the Whisky Insurrection of western Pennsylvania. This episode would be of slight historic interest but for the fact that it became a test of national strength under the new Constitution. The internal tax on distilled spirits bore heavily on outlying communities, far from the centers of trade. Owing to the long distances and the bad roads it was difficult to take their grain to market, and the people condensed it into whisky. The excise was unfair, they claimed, as it taxed them heavily on the main product of their farms. In various parts of the country the excise was unpopular, and in western Pennsylvania the discontent broke into open rebellion. The people held a great meeting on Braddock's Field, and decided to resist the law by force of arms.¹¹⁸

¹¹⁷ When the subscription books were opened the entire stock was sold within an hour. The bank was situated at Philadelphia, with branches at Boston, New York, Baltimore, and Charleston. Thomas Willing became the first president.

¹¹⁸ The afterward famous Albert Gallatin was one of the leaders of the insurrection. He later repented of this "political sin."

Washington issued a proclamation commanding the malcontents to desist; he also sent a commission to treat with the insurgents and endeavor to induce them to obey the law. These efforts being unsuccessful, the President determined to use force. He called upon the governors of Pennsylvania, Maryland, New Jersey, and Virginia for troops,¹¹⁹ and in a short time fifteen thousand men were marching across the Alleghanies under the lead of Governor Lee of Virginia.

Hamilton accompanied the expedition and was, indeed, the soul of the whole movement. He was very anxious to display the strength of the government, to teach a lesson to all who believed that it could not enforce its own laws. Yet, as he afterwards said, he feared at every moment that the militia would throw down their arms and return home. The great question had been, Will the citizens of other states march into a sister state to enforce a national law? The army marched on, however; and on its approach the insurgents dispersed. No blood was shed, and henceforth the excise tax was collected without difficulty. Hamilton was jubilant. The Constitution had borne the strain, and the friends of law and order had won a victory.

RISE OF POLITICAL PARTIES

With a self-governing people political parties are inevitable and, we may say, necessary; for no party, however pure its motives at first, will govern a country long without becoming corrupt or arrogant, unless it has a rival of almost equal power, watching its movements and ready to snatch from it the reins of government.

The Anti-federalist party, if such it may be called, though

¹¹⁹ This call was made with the proclamation, but the militia were not sent till the commission had failed.

it was never organized, fell to pieces after the adoption of the Constitution. It had existed for the sole purpose of preventing adoption, and when this was done in spite of its efforts to prevent it, the party ceased to exist. The Federalists, on the other hand, took the reins of government and continued under the old name. In a few years the whole people became friendly to the Constitution; and it is a significant fact that from that time to the present the American people have shown no disposition to cast it aside for another.

In the early part of Washington's administration a question of the utmost importance came up for solution, Shall the Constitution be construed strictly or loosely? On the decision of this question rested the whole trend of the government of the future. It was this question that first divided the people into two great political parties, and it was brought out prominently in the debate on the bank charter. To construe the Constitution loosely or broadly meant to give the general government larger powers than the letter of that document would indicate; to construe it strictly meant to confine Congress to the strict letter, leaving all other powers to the states or to the people. The Federalist party now became the party of loose construction, and Hamilton was its leader.¹²⁰

But there were many thousands of people who were displeased with the policy of Hamilton. They did not like Washington's dignified bearing, his ceremonial receptions, his driving through the streets with such stately pomp. All this savored of monarchy, said they. But it was left for Hamilton's centralizing financial measures to awaken a gen-

¹²⁰ The reader will bear in mind that strict and loose construction were not ends but simply indices pointing to a weak or a strong central government.

eral alarm. This element soon resolved itself into a political party founded on the policy of strict construction, and the founder and leader of this party was Thomas Jefferson.

The two greatest statesmen of this period were these two members of Washington's Cabinet—Jefferson and Hamilton; and seldom since then has the equal of either appeared on our political stage. The contrast between these two remarkable men is exceedingly interesting to the student of history. Jefferson was born of the highest aristocracy of Virginia, but he was a natural democrat, and he despised the exclusiveness of his class; Hamilton, born of ill-mated parents in an obscure corner of the world, was self-made in the fullest sense, but he became the most conspicuous aristocrat in America. Jefferson was retiring, studious, philosophical, original; Hamilton was a man of the world, brilliant, far-sighted, imperious, but not original,—his governmental policy was borrowed from the English monarchy. Jefferson loved the multitude; he recognized in every man a common humanity with himself. Hamilton stood aloof from the great crowd, which he had no power to win, but he was a superb leader of leaders. These two men were alike in one respect—in patriotism. Each loved his country above all things; but here the parallel must drop. They differed as day differs from night in their methods of construing the Constitution, in their ideas of what the government should be.

Jefferson loved liberty with a passionate devotion, and his faith in the people's capacity for self-government was implicit and abiding. Hamilton loved liberty also, but the first law of his mind was order, and it called for stability of government. Jefferson studied the people, understood them as no other man of his times; he believed in universal education,

as that alone would bring intelligent self-government and happiness. Hamilton did not understand the people; he called them "a great beast;" he felt that they could be kept within proper bounds only by the strong hand of a centralized government. Jefferson feared that a strong government would endanger liberty. Hamilton feared that a weak government would encourage anarchy. Of Shays's insurrection Jefferson simply stated, "Whenever our affairs go obviously wrong, the good sense of the people will interpose and set them right;" while Hamilton was horrified at that episode, and would have crushed all such rebellions with a hand of iron.

These two men were in Washington's Cabinet. They could not agree. They became political, then personal, enemies, and were constantly quarreling across the table of their chief. It was a battle of the giants, and their strife was an unselfish one for the future of a nation, each sincerely believing that the policy of the other would be ruinous to the country. The contest was one of vast importance, because it must now be decided how the new Constitution should be operated—whether the country should be strong or weak, should be ruled by the democracy or by an aristocracy. Which of the giants won? Both. Hamilton won first. Jefferson won last. Hamilton's victory resulted in assumption, in the funding of the debt, in an excise tax, in the founding of the bank—all in accordance with his broad constructive theories. This was all done before Jefferson had gathered his forces into battle line. At length Jefferson won a final victory over Hamilton and overthrew his party forever. But it was too late to undo the work of Hamilton. To this day we have liberal construction of the Constitution, and the initiative of this we owe to Hamilton. Even Jeffer-

son, when he obtained control of the government, in his maturer years, had no desire to undo the chief work of his great rival, for he looked upon it and saw that it was good.

Yet Jefferson's victory was greater than that of Hamilton. He retained the nationality of Hamilton, but he infused into it a democracy that destroyed forever the possibility of aristocratic government. We have to this day, except where the political "boss" gains a temporary sway, a rule of the people, a government of the democracy—and for this we are greatly indebted to Jefferson. It required long years for these opposing tendencies to blend together in right proportion. But we have them, not in perfect form, but in better form than the world has hitherto known, and we owe this union, or at least its inception, to the two great rival secretaries of Washington's Cabinet.

Jefferson named his new party "Republican."¹²¹ It is not to be identified with the Anti-federalist party, though many of the fragments of that party were gathered into its fold. Jefferson's following at first was chiefly from the South, but it was not long until he had won Pennsylvania and other northern states. Jefferson was a leader of marvelous skill. He made a master stroke at the outstart by winning Madison, and the two were ever after the most intimate political and personal friends. He next made a follower of Albert Gallatin, the doughty Swiss who became one of our greatest financiers. But the bulk of the new party was

¹²¹ This was the origin of the present Democratic party. The name "Democratic," borrowed from French politics, was first used by small Democratic societies, as they called themselves, and was applied to Jefferson and his followers by their enemies. Though Jefferson never accepted it, the name encroached on the name "Republican" for more than thirty years, when it was adopted by the party. The two words do not differ greatly in meaning.

made up of the middle and lower classes, while the majority of the more aristocratic classes remained with the Federalists.

Washington was supposed to be above party lines, and he made some effort to hold a neutral ground, but he could not conceal the fact that his sympathies were generally with Hamilton. His sincere desire was to retire from public life at the end of his first term; but Jefferson and Hamilton both begged him to stand for reëlection, as parties were then in a state so chaotic as to render a national contest injurious to the country, and he alone could be elected without a contest. Washington consented, and he was elected a second time by the unanimous vote of the electoral college. Jefferson left the Cabinet early in 1794, and Hamilton a year later; but both continued at the head of their respective parties. Each was an idealist, an extremist, and each made the serious blunder of misunderstanding the other. Jefferson believed that Hamilton was at the head of a great conspiracy, the object of which was to merge the Republic into a monarchy. Hamilton believed that his rival was at the head of a party of fanatics who might rise at any time and seize the government, even with bloody hands, as the people of France had done in that unhappy country, and that Jefferson was capable of encouraging anarchy and disunion. Both were wrong. Both were friends of order and good government, but they differed widely in their methods of administering it.

AMERICA AND FRANCE

During the period that we are now treating there was a movement of vast significance in progress in France, one that has no parallel in history, one that shook the throne

of every monarch in Europe. It is known as the French Revolution. The peasantry of France had been trodden in the dust for centuries by tyrannical kings and a profligate nobility. At last the worm turned upon its oppressor. The people, driven to madness by tyranny, had risen in their fury, dashed their oppressors to the ground, and taken the government into their own hands.

The French Revolution promised at first to be a bloodless one. The States-General met in 1789 for the first time in 175 years. It framed a constitution greatly curtailing the power of the king and changing the government to a limited monarchy. This the king accepted, and all things seemed to promise a peaceful continuance of his reign. But when the other monarchs of Europe banded together and determined to restore the French king by force of arms to his former position as absolute monarch, and to reduce the people to their former condition of servitude, their passion became unbounded. When it was known that the allied Powers had sent the Duke of Brunswick into France with an army to restore the king, and when it was believed that the king himself sympathized with the movement, the people of Paris became delirious with fury. They raised a great army and won a great victory over the Allies; they beheaded their king, destroyed many of the nobles, and proclaimed a republic; they lost all self-control and put hundreds to death on suspicion; they spread carnage on every hand till the whole land of France was drenched in blood.

The French Revolution made a profound impression on American politics. Hamilton was shocked at the lawlessness and excesses of the French, while Jefferson sympathized with them in their struggle for liberty. Jefferson deplored the excesses, for he was not a man of violence; but of the

Revolution as a whole he wrote, "Rather than it should have failed, I would have seen half the earth desolated; were there but an Adam and Eve left in every country, and left free, it would be better than it is now."

The Federalists had no sympathy with the violent French. They leaned rather toward the stable monarchy of England, and they came to be called the "English party," while Jefferson and his following were called the "French party." Such was the condition of American politics, the chief issue being foreign, when in the spring of 1793 the new French Republic sent its first minister to the United States.

His name was Edmond Charles Genêt, and his title was "Citizen," for the French had abolished all titles except citizen and citizenship. He was a youth of twenty-eight years, but he had made a record in annexing Geneva to the French Republic. He landed at Charleston in April, and his overland journey to Philadelphia was one unbroken ovation. But he was not surprised; he had expected a warm reception by the sister republic whom France had aided so generously a few years before. He even expected America to declare war against the Allies in behalf of France. Did not the Treaty of 1778 between France and the United States bind each to become the ally of the other in case of war?

Reaching Philadelphia, Genêt encountered an obstacle, a very serious one, in the attitude of the President. Washington received him without enthusiasm, assuring him of the friendly feeling of America toward France without giving him the slightest hope of assistance in the war. Washington had weighed the matter well. Hearing of the declaration of war between England and France, he had submitted the matter to his Cabinet, and with their approval he had

issued his now famous Proclamation of Neutrality. But Genêt was not discomfited. He had begun fitting out privateers the moment he had landed at Charleston. He pronounced the government "timid and wavering," acted on his own interpretation of the Treaty of 1778, in defiance of the wishes of the administration, and even declared that the President was exceeding his powers in proclaiming neutrality. Genêt had much encouragement. Philadelphia had received him with great applause. Men on fast horses had met him as he approached and had galloped into the city to spread the news of the coming of this true son of liberty. Great banquets were held in his honor. Democratic societies were formed to advocate the French cause, and they rapidly spread over the states. The Republican newspapers not only took the side of Genêt against the government, they also attacked the character of Washington most virulently. It was said that ten thousand men in Philadelphia banded together, determined to force the President to resign his office or espouse the cause of the French; and for the first time since the Conway Cabal, the popularity of Washington suffered a partial eclipse.

The President was greatly annoyed at the attacks upon his character. He declared before his Cabinet that "he would rather be in his grave than in his present situation." But on the question at issue, he was as immovable as adamant. He saw that a crisis in the life of the Republic was at hand, that a precedent for the future must be established. He believed that the Republic would be short-lived if it did not make a stand against taking sides in the wars and political broils of Europe. Yet there was the Treaty of 1778. But that was made with the French monarchy, which had ceased



1757? — ALEXANDER HAMILTON — 1804.

By GIUSEPPE CERACCHI, 1794.

From the original bust in Lenox Library, New York.

to exist. It was made with the French king, who was guillotined, and who had no successor. The treaty of alliance was also construed to refer only to defensive wars, and France was waging an offensive war. With these considerations Washington determined to make a stand against a French alliance, and the courage required to make such a decision in the face of the popular clamor is not less admirable than that displayed years before by the same noble soul at Princeton and at Monmouth.

Meantime Genêt had overstepped the bounds of public decency. He had sent the *Little Sarah*, a captured British merchantman, now changed to a French privateer, down the Delaware and out to sea, against the protest of Governor Mifflin and of Secretary of State Jefferson. He had threatened to appeal from the decision of the President to the people. He had projected an invasion of Florida from South Carolina and Georgia, and a movement against New Orleans from Kentucky. He had written a dictatorial letter to Washington, and had received a cold reply from Jefferson, stating that it was not customary for a foreign diplomat to have direct correspondence with the President, that the proper channel through which such notes should pass was the secretary of state. The President again called a Cabinet meeting, and they decided that it was unlawful to fit out privateers and take captives in American waters, and they also determined to demand the recall of Genêt.

The popularity of the French minister now took a sudden turn, and collapsed like a punctured balloon. The national pride had been touched, and the public esteem for the hero of Trenton, of Valley Forge, and of Yorktown again approached the zenith.

AMERICA AND ENGLAND; THE JAY TREATY

Our relations with England during the nineties were scarcely better than those with France, and they began to absorb public attention about the time the French craze subsided. The British monarchy had shown little respect for the new nation formed of her sometime colonies. So the Americans felt at least, and they had a series of grievances against the mother country.

First, a source of irritation arose from our trade with the French West Indies. France had thrown open her colonies to the trade of neutrals,—a thing they did not usually enjoy in time of peace,—and our merchants soon had a flourishing trade with the French West Indies. But Great Britain then, to cripple France and in contempt of the neutrals, revived an old rule known as the Rule of 1756—that trade which was unlawful in peace was unlawful in war.¹²² Several American vessels were seized under an order in council; and when the news reached America, in the spring of 1794, there was an outburst of fury on all sides. The British party sank into insignificance; an embargo laid for thirty days on all foreign-bound vessels was now extended for thirty days more.

Second, the British consul at Algiers had connived with Portugal, now in league with England against France, to turn loose upon the Atlantic a number of piratical Algerine vessels for the purpose of preying on American sailors and shipping, or at least with the knowledge that they would do

¹²² England's avowed object in doing this was plausible. The order in council was issued in aid of an expedition to be sent to conquer the French West Indies, but the Americans could see in it only an attempt to cripple their shipping. Strictly speaking, this affair did not come under the Rule of 1756, as France had, in 1784, prior to this war with England, opened the West India trade to United States vessels of sixty tons or over. See "Annals of August," 1794, p. 192.

so.¹²³ There was much indignation against England as well as against Algiers. Congress voted to build a navy to send to the Mediterranean, and the work was begun; but peace was soon made with the Dey, and the navy-building was stopped.

In addition to these points of irritation, there were other grievances of long standing against the British. They still held the western posts—Detroit, Michilimackinac, Niagara, Oswego—and refused to give them up; nor would they pay for the slaves carried off at the close of the Revolution. It is true that the laws against loyalists had not been repealed, but Congress had recommended that the states repeal them, as promised in the treaty. As the states had not heeded the recommendation, England still refused to carry out the treaty.

The source of greatest irritation, however, was found in the impressment of seamen. Many English sailors, abandoning their country in time of need, had taken refuge in American vessels. These men were impressed into the British service, frequently from American ships held up for that purpose on the high seas. Some were English born, but naturalized Americans. But England would not acknowledge the right of expatriation. Once an Englishman, always an Englishman, was her motto,¹²⁴ and she seized these men at every opportunity. And native-born Americans were often taken by mistake. To the protests of our government the English paid no heed, and the people became exasperated at the continued outrages. War seemed imminent. The Federalists began to talk of raising armies and

¹²³ Schouler, Vol. I, p. 265.

¹²⁴ The right of expatriation was not acknowledged by the British government until 1870.

of building a navy. The Republicans were in a dilemma. They heartily disliked England, but they did not desire war, because war meant the raising of armies, and the creating of a navy; these would tend to strengthen the national government; and to prevent this was the chief corner stone on which their party was founded.

Washington greatly desired peace—not to please any party, but because he knew that a disastrous war at that time would seriously injure the country, if not destroy its independence. And here came a rift in the clouds. The British ministry so modified its offensive order as to leave American trade in the West Indies unmolested, except in respect of French products carried to France, or property belonging to French subjects. This concession was probably induced by the threatening attitude of Congress, and by the summary treatment of Genêt. Washington was pleased with this slight concession. He felt that now he could make overtures for an adjustment of the differences without compromising the national honor. He therefore determined to send an envoy to London to frame a commercial treaty on the best terms attainable, and for this difficult task he nominated John Jay, Chief Justice of the United States Supreme Court.

Jay sailed late in April, 1794, reached London early in June, concluded the treaty late in November, and laid it before President Washington in March of the following year. During his absence the two subjects that absorbed public attention were, the Whisky Insurrection, which has been noticed, and the operations of St. Clair and Wayne against the Indians in Ohio, which will be noticed on a future page. At present we must follow up our subject—the famous Jay Treaty.

To make any treaty with the enemy of the French Republic was galling to the Republicans; and to send John Jay, the most pro-British American in the country, except Hamilton,¹²⁵ was more than they could bear. They began their tirade as soon as Jay started for England, and it was evident long before his return that any treaty he might make would be bitterly opposed by them. When they learned that Jay had been well received, they said that he had sold himself for British gold;¹²⁶ when it was known that he had kissed the queen's hand, he was accused of prostrating the sovereignty of the people at the feet of majesty.

After a long delay on the voyage the treaty was put into the President's hands in March, a few days after the session of Congress had closed, and Washington called the Senate in secret session to consider it. The Senate met in June, and after a short debate ratified the treaty by a two thirds majority, and not a vote to spare.¹²⁷

The treaty, which had not yet been made public, was the best attainable from England at that time, and there is not a doubt that Jay had been truly patriotic, and that he had done as well as any other man could have done. Yet the treaty was not generally an advantageous one to the Americans. The first ten articles were intended to be permanent, the rest of a temporary nature. The western posts were to be evacuated by June, 1796; but not a dollar was to be paid for having held them so long, and the Mississippi River was

¹²⁵ About this time Washington sent James Monroe to succeed Gouverneur Morris as minister to France, while another future President, the youthful John Quincy Adams, became minister at The Hague.

¹²⁶ McMaster, Vol. II, p. 213.

¹²⁷ Even Hamilton at first pronounced the treaty "an old woman's treaty." In England it was unpopular for the opposite reason — that it conceded too much to America.

to be open to British shipping. American citizens were to be indemnified by the British government for recent captures in the West Indies. This was the most favorable stipulation of all, but it was balanced by another binding the United States to compensate Great Britain for confiscated debts. No recompense for the slaves carried off at the close of the Revolution, no redress for the impressment of seamen, nor any promise that the practice should be abandoned, could Jay get into the treaty. Most of the temporary articles dealt with subjects growing out of England's war with France—trade with the Indies, and between the two countries, foreign enlistments, rights of reprisal, and the like—and they were generally unfavorable to the United States. Privateers of nations at war with either of the parties were not to be armed in the ports of the other nor to sell prizes there. The articles pronounced any American citizen a pirate who accepted a French commission against England; they even made the goods of an enemy on board the vessel of a friend liable to capture. This was a terrible blow to the French party, but there it was in the Jay Treaty. Jay had conceded much—too much for the national dignity. But he did so because he believed this the only means of avoiding war. The treaty could be defended only on the ground that it was preferable to war.¹²⁸ Washington disliked the treaty, but his dislike of war at this time was greater, and he signed the treaty and proclaimed it the law of the land.

Meantime the public was anxious to know what was in the treaty, and early in July the Philadelphia *Aurora* obtained a copy, published it in pamphlet form, and sent it broadcast over the land. The wrath of the Republicans was

¹²⁸ Gordy's "History of Political Parties" (1st ed.), I, 188.

unbounded. Jay was denounced as a traitor to his country, and was burned in effigy from Maine to Georgia. At Faneuil Hall in Boston, an immense mass meeting condemned the treaty unanimously. At an open-air meeting in New York, Hamilton was stoned for attempting to defend it.¹²⁹ At Philadelphia a copy of the treaty was burned in the street before the house of the English minister, while at Charleston the British flag, after being dragged through the streets, was burned in front of the British consul's door. When it was known that Washington had set his name to the disgraceful treaty, he was shamefully abused in the Republican press. He was accused of overdrawing his salary, of having retired at the close of the Revolution only because the country could offer him no position that would satisfy his ambition, of being an American Cæsar, a tyrant, and a despot, and of having violated his oath of office.

The treaty was by no means safe because it had passed the Senate, and had been signed by the President. The Constitution gives the treaty-making power to the President and the Senate, it is true; but this treaty required a money appropriation to put it into operation, and the House must originate all revenue bills. The House at this time was Republican by a small majority. The President laid the subject of the Jay Treaty before it in March, 1796; and one of the greatest constitutional debates ever held in Congress immediately followed. The House, after a three weeks' debate, asked Washington for the papers and correspondence in connection with the making of the treaty, but Washington refused the request. The Republicans were staggered at the firmness of the President, but they did not give up;

¹²⁹ Hamilton's wit did not desert him. "If you use such striking arguments, I shall retire," said he, as he left the platform.

they determined to defeat the appropriation. Their leaders on the floor were Madison and Gallatin. The debate dragged on, and the speeches on either side were many; but there was only one that became famous in our history. It was no doubt the most eloquent speech listened to by that generation of Americans, and it was never equaled in Congress until the rise of Webster. It was made by Fisher Ames of Massachusetts.

Ames was a man of frail body. His life was one long disease, and against the advice of his physician he rose to speak on the great question before the House. He was a Federalist of the Federalists, and he fully believed that a rejection of the treaty meant immediate war with the British Empire, and the dissolution of the Union. He predicted with all his nervous emotion the horrors that would follow a rejection of the treaty. For three hours he held the House and the gallery in the spell of his burning eloquence, and closed with these pathetic words: "Even the minutes I have spent in expostulating have their value, because they protract the crisis and the short period in which alone we may resolve to escape it. Yet I have, perhaps, as little personal interest in the event as any one here. There is, I believe, no member who will not think his chance to be a witness of the consequences greater than mine. If, however, the vote should pass to reject—even I, slender and almost broken as my hold on life is, may outlive the government and Constitution of my country."

The speech of Ames brought tears to nearly every eye. Vice President Adams sat in the gallery, and with tears rolling down his cheeks exclaimed to a friend by his side, "My God, how great he is!" Above all, Ames carried the day. Before his speech the Republicans counted on a ma-



1732—GEORGE WASHINGTON—1799.

By GILBERT STUART, 1795.

From the original portrait in possession of Marsden J. Perry, Esq.,
Providence, R I.

jority of six; when the vote was taken the next day the Federalists won by a majority of three.

Thus the Jay Treaty went into effect. It was humiliating to American pride, but necessary. It postponed for sixteen years the inevitable second war with England; had it been rejected, the War of 1812 would have been the War of 1796. But the treaty was staggering to France. The proclamation of neutrality, in the memory of Yorktown, was bad enough, but this treaty was like a blow in the face from a supposed friend; and never again did France presume on the brotherly feeling engendered between the two nations during the Revolution.

RELATIONS WITH FRANCE

Still another serious episode in our foreign relations belongs to this period. France was greatly displeased with the Jay Treaty, and naturally so. James Monroe had been sent as minister to France, but his sympathies were so obviously with the French that he was unable to rise to the dignity of a diplomat. He spoke of France as "our ally and sister republic," and of the "wisdom and firmness" of the revolutionary government at a time when the guillotine was still rolling the heads of the best citizens into the basket. It was at this time that Jay was in England negotiating with Grenville, and the fact caused much unrest in Paris; but Monroe assured the French government that Jay's mission was strictly limited to "demanding reparation for injuries." When at length the Jay Treaty was published to the world, the French were furious; and when, in December, Monroe received word from Timothy Pickering, who had succeeded Randolph ¹⁸⁰ as secretary of state, that the treaty had been

¹⁸⁰ Randolph had succeeded Jefferson; but after a short service he

ratified by the Senate and signed by the President, he was astonished, and his position became embarrassing. He was now instructed to defend a treaty such as he had assured the French government would never be made. He believed that his own government had deceived him and that in consequence he had unwittingly deceived the French.¹²¹ He now hesitated to follow his instructions, and not until he was informed by the minister of foreign affairs that the alliance between France and the United States was at an end, and that the Directory was about to recall Adet, the French minister to the United States, did he rise to a sense of his duty. He then defended the treaty with vigor. But it was too late. Washington had determined on his recall, and in September, 1796, C. C. Pinckney was appointed minister to France.

Meantime Adet, at Philadelphia, had carried himself with little more dignity than had Monroe at Paris. He was a notable improvement on Genêt, but he stooped to acts that were not expected of one in his position. His chief offense lay in his meddling in American politics. As the presidential election approached, he wrote articles for the Republican press, urging the people to elect a Republican President. And here we must turn aside for a brief account of the first presidential contest in American history.

Washington determined to retire from the great office at the end of his second term, not that he wished to set a precedent for the future, but because he was weary of public life and wished to spend the evening of his days amid the rural scenes of his plantation on the Potomac. Another had resigned, after having been accused of conniving with the French minister.

¹²¹ Gordy, Vol. I, p. 225.

cause of his retirement, as many believed, was the continued attacks of the opposition press. However, had he desired a third term, he could easily have been elected, but not unanimously, as twice before. For more than forty years from the time that he had carried the message of Dinwiddie through the wilderness of Virginia, with brief intervals, he had been in public life. Retiring now to his country home, he was contented and happy; but less than three years elapsed when he was called to his final home, being in his sixty-eighth year.

More than a century has passed since then, and no other American has won the universal love of the people as he did. His popularity, like that of other public men, had its ebb and flow, its light and shadow, but at length it has settled into a steady stream of light which the years have no power to dim. For half a century after his death, Washington was regarded as little less than a demigod, and only through the telescope of modern historic criticism has the real Washington been presented to the world. We now know that he was a man, a real human being, with robust good sense, with much claim to genius, but also with many of the foibles and limitations of other men. He was almost devoid of wit and humor and of personal magnetism. He was a natural aristocrat, and he made no pretense of mingling with the multitude. Possessed of a strong temper, he kept it under masterly control. A few times, however, he lost his self-control, and at such moments his outburst of anger was frightful. Only three or four times in his life was he known to burst into a loud, hearty laugh. He was an avowed Christian, and his deep religious convictions formed the basis of his character and guided his daily life;

but he was not demonstrative nor emotional.¹²² He had a great, generous heart, and he loved his fellow-men; but he held every friend at a distance, nor would he brook familiarity from any one. Though never familiar, he was always courteous; his manner was dignified and reserved, his face usually calm and reposed. His popularity was won, not by a captivating manner or a conscious effort, but by his unswerving devotion to duty and his high, unselfish motives.

What is Washington's rank among the world's greatest heroes? He was a successful commander of armies and he displayed much genius, but among the world's great captains he cannot be placed in the very first rank. As a statesman he must again take a second place. Wherein lay Washington's greatness? He was not dashing, nor brilliant, nor original. His greatness consisted for the most part in his lofty motives, in his extraordinary sound judgment, and his unlimited courage when standing for a principle that he believed to be right. His patriotism was as pure as sunlight, and no element of selfishness entered into his motives. In all his public career he never made a serious mistake. As our first President he held himself above party lines, and amid the contending tempests of political passion he stood like a mighty oak in a storm; and his conservative strength was essential to the life of the infant Republic.

Washington, while not a great genius, was exactly fitted for the position in which Providence had placed him. Had he been a greater man, he might have misused his power; had he been a weaker man, he could not have succeeded. Had he possessed the ability and ambition of Napoleon, our country would have become a military government and a

¹²² Schouler, Vol. I, p. 128.

monarchy; had his ability not exceeded that of Gates, the country might have fallen a prey to foreign powers. Washington was precisely the man the times called for, and he did a service for humanity that deserves the homage of every age and every nation. The candor and the nobleness of his character have attracted the admiration of every people. "No nobler figure ever stood in the forefront of a nation's life," says a British historian;¹²⁸ ". . . there was little in his outward bearing to reveal the grandeur of soul which lifts his figure, with all the simple majesty of an ancient statue, out of the smaller passions, the meaner impulses, of the world around him. . . . Almost unconsciously men learned to . . . regard him with reverence which still hushes us in the presence of his memory." We are all devotees at the shrine of Washington. He has left a record that cannot fade, and his name will ever be dear in the hearts of men who love human rights and human liberties.

We must now return to the presidential election. The Federalist leader was Hamilton, but Hamilton was without a popular following. None knew this better than himself, and he made no effort to win the great prize. Jay probably ranked second as a party leader, but the odium of the treaty made him an impossible candidate. John Adams, therefore became the logical candidate of the Federalists. He was looked upon as an aristocrat rather than a democrat, but he had taken little part in the Franco-English issues that had divided the people. Adams was well known to his fellow-countrymen. He had been in public life more than twenty years; he was the strongest debater in Congress during the Revolution; he had made the motion that placed George

¹²⁸ Green.

Washington at the head of the army; he had become the first minister of independent America to England; and he had now served creditably as Vice President for eight years.¹⁸⁴

Jefferson, the founder and leader of the opposition party, became its logical candidate. The contest was a spirited one, but as several states chose electors by the legislature, the popular strength of the two parties was not fully tested. There is little doubt that a majority of the people were with Jefferson, but there was a silent fear that if he were elected he would not support the Jay Treaty, which would have meant war with England. The people were not ready for war, and they elected Adams by a vote of seventy-one to sixty-eight for Jefferson. The latter, however, receiving the next highest number, became Vice President.

The inaugural ceremonies were scarcely over when the new administration was called upon to face a serious difficulty with our "sister republic" in Europe. The Jay Treaty was deeply offensive to France, and now to this offense was added the recalling of the good Republican Monroe¹⁸⁵ and the sending of the Federalist Pinckney. This was too much

¹⁸⁴ Hamilton and his clique of friends had perceived that Adams was of a headstrong nature, and they attempted to compass his defeat by a trick. The Twelfth Amendment had not been added to the Constitution, and each elector was to vote for two men without designating which was to be President or Vice President. Hamilton, seeing that he could not defeat Adams by open opposition, chose Thomas Pinckney, who was very popular owing to his late treaty with Spain, to run on the ticket with Adams, and his plan was to have all the New England electors vote for Pinckney, who, being a Southern man, would receive a larger vote than Adams in the South and thus win first place. The plan did not work. Adams afterward discovered the trick, and from that day forth he was never friendly to Hamilton.

¹⁸⁵ Washington had recalled Monroe a short time before he retired from the presidency.

for the Gallican to endure. Pinckney was rejected, and he took refuge in Holland, where he spent the winter. It was now America's turn to be offended. There was much indignation at the rejection of Pinckney. Adams called an extra session of Congress to meet in May, and his message on its assembling was very positive and pointed. He said that France should be convinced that we are not a degraded people, humiliated under a spirit of fear and a sense of inferiority. He urged Congress to create a navy and to fortify the harbors of the United States, while at the same time he declared his intention to make one more effort for peace by sending a special mission to France to adjust the differences.

After a sharp debate, Congress voted an answer to the President, approving his views and his plans; and before adjourning it passed a bill to appropriate money to fortify the harbors, another apportioning eighty thousand militia to the states, to be ready for action if called for, and one to complete the three new frigates, the *United States*, the *Constitution*, and the *Constellation*.

Meantime three envoys to France had been appointed: John Marshall, the future jurist, Elbridge Gerry, the future Vice President, and Charles Cotesworth Pinckney, who had been rejected as the regular minister by the French Directory. They reached Paris in October, and for several months their experience was an exciting one. A few days after they had arrived and had informed Talleyrand, the minister of foreign affairs, of their mission, they were approached unofficially by a gentleman named Hottinguer, who informed them that a threefold demand would be made upon the United States, and that it must be complied with before the French Directory would receive a minister from the

country. First, the President's message to Congress, parts of which were very offensive to the French government, must be modified; second, the wounded feelings of the Directory must be soothed by a gift in the form of a bribe to the amount of \$240,000, and third, the United States must make a loan to France of a large sum of money to carry on her war with England. A little later two other men, M. Bellamy and M. Hauteval, representing Talleyrand, joined Hottinguer and renewed the demand. "I will not disguise the fact," said Bellamy, ". . . you must pay money, you must pay a great deal of money." They further stated that French vessels would be sent to ravage the American coast if their demands were not heeded. To these demands Pinckney is said to have made the famous answer, "Millions for defense, but not one cent for tribute." The American envoys were astonished at such a reception. They disclaimed all power of making a loan, and offered to consult with their government; and they laid their correspondence with these three men (designated in the published dispatches as X., Y., and Z.) before the President of the United States. France now added another insult by sending Marshall and Pinckney, who were Federalists, out of the country, and offering to treat with Gerry alone, who was a Republican.

A wave of indignation swept through the country when the President made known the fact that his mission to France had failed. It was the spring of 1798, and Congress was in session. The radical Republicans in the Senate and the House still determined to avert war with the sister republic. One Spriggs, a member of the House from Maryland, even rose and offered a resolution that "it was inexpedient under existing circumstances to resort to war against the French Republic." The resolution was under



1746—CHARLES COTESWORTH PINCKNEY—1825.

BY GILBERT STUART.

From the original portrait in possession of Captain Charles Cotesworth Pinckney,
Runnymede, S.C.

discussion and would doubtless have passed, when suddenly the whole country was thrown into an uproar by the X. Y. Z. correspondence, which the President now submitted to Congress. When the account of this shameful treatment of our envoys and these impudent demands made on our government was published broadcast, the people fell into a patriotic rage and demanded an immediate declaration of war against France. Such an outburst had not been known since the battle of Lexington. Patriotic songs were written and sung everywhere by the people, and one of these, "Hail Columbia," written by Joseph Hopkinson for a Philadelphia theater, still lives in our literature.

Congress, meanwhile, had caught the spirit of the people. The war feeling was aroused, and all waverers joined the forces of the administration. The same was true throughout the country, and John Adams, for the first time, and it may be said, the only time in his life, found himself on the uppermost wave of popularity. Congress passed in rapid succession the measures he had recommended: for establishing a navy department, for the further defense of harbors, for raising a provisional army of ten thousand men in case of war, for the purchase of cannon and military stores, and for the suspension of all commercial intercourse with France after July 1st.

Everything seemed now to indicate immediate war with the French Republic. And there was much *casus belli*. That country was displeased with the Jay Treaty, which, however, had been wrung from our government against its will, and which was not intended as an offense to France. On the other hand, France had heaped one insult upon another,—first through the impudence of Genêt before the framing of that treaty, in attempting to dictate our position

in European wars, then in the attempt of a later minister to influence a national election. Her privateers had captured scores of American merchant vessels; she had rejected an American minister because he belonged to a party distasteful to the French. Even after all this our President was so anxious to maintain peace that he sent three envoys; and these were kept waiting for six months in the antechamber, hearing the most humiliating proposals, and at length two of them were driven in disgrace from the country. Was not this enough to raise the ire of every true-hearted American?

Great preparations were now in progress for war with France, and the French were thoroughly surprised on discovering the fact. The French armies had gone forth to war and had conquered a large part of Continental Europe, and now to be defied by the youthful Republic in the western wilderness was, to say the least, unexpected. The truth is, France did not wish to fight America; her sole object had been to win American aid in her European wars; her quarrel was with monarchies alone. When, therefore, the Directory knew of the war spirit they had stirred up, they informed Gerry that they were anxious for peace between the two republics.¹⁸⁶ They withdrew the demand that the President's message be modified, released American seamen, and forbade the further capture of our vessels. They even declared that they did not wish the United States to break the treaty with England, and expressed a willingness to receive a new American minister.

But the war spirit still raged on this side the Atlantic. George Washington was appointed commander in chief of the armies to be raised. He accepted on the twofold condition that he might choose his immediate subordinates and

¹⁸⁶ See *The United States Gazette*, September 29, 1798.

that he need not take the field unless absolutely necessary; and he suggested the appointment of Hamilton, Knox, and C. C. Pinckney as major generals. This order would make Hamilton the senior major general, and the real commander, who would reap the chief honor of a successful campaign. Now, Adams disliked Hamilton. He had not forgotten the trick by which the latter had hoped to cheat him out of the presidency; and besides, the two men were utterly incompatible in spirit. Adams now determined to make Knox the senior major general. But Washington threatened to resign if his wishes were not respected, and Adams yielded the point.

The autumn of 1798 passed, and still the cry was, War with France! A few sea captures had already been made—when in midwinter, suddenly, and to the astonishment of all, President Adams at one stroke ended the whole matter, and removed all prospect of war—he appointed another minister to France.¹⁸⁷ Adams had heard of the friendly overtures of the French Directory, of their offer to receive a minister, and he made the appointment without even consulting his Cabinet. By this action Adams incurred the wrath of most of the leaders of his party. It was inconsistent with national honor, they said; France, the offending party, should have made the first move toward peace. The friends of Hamilton declared that the chief motive of Adams was to prevent the former from winning military glory. The subject of the motive of the President in doing this bold thing against the wishes of his party was discussed for many years. Adams always defended his action; and nine years

¹⁸⁷ William Vans Murray, then minister to The Hague. Two others were afterward appointed with Vans Murray, Chief Justice Oliver Ellsworth, and Governor Davie of North Carolina.

after these events he stated in a letter that he considered it the most disinterested and meritorious action of his life, and that he desired no other inscription on his gravestone than this: "Here lies John Adams, who took upon himself the responsibility of peace with France."

The act of President Adams had two great results: it brought peace and war—peace with France, and that peace has not been broken in a hundred years; and war in the Federal party. It rent the party from the top to the bottom. The wound was fatal, and it rendered impossible the reelection of the man who made it.

FALL OF THE FEDERAL PARTY

The Federal party reached the acme of power and popularity just after the X. Y. Z. explosion in the spring of 1798. The enthusiasm awakened was, in a great measure, non-partisan, and yet the party in power could have reaped a golden harvest from it, could have strengthened itself powerfully for the future, had it been tactful and wise; but it was neither tactful nor wise. Instead of taking advantage of the popular wave and building for the future, it stooped to humble some of its old enemies. It enacted a number of obnoxious laws, based on a spirit of revenge, and in this way it drove thousands into the ranks of its great rival.

To raise revenue for the impending war a direct tax on lands, slaves, and houses was imposed. For every slave between the ages of twelve and fifty years the owner must pay fifty cents a year, while the land and house tax was graded according to the value of the property, and the value of a house was determined by the number and size of its windows.¹²⁸ These special taxes were unpopular and they

¹²⁸ The farmers of eastern Pennsylvania rebelled against paying the house tax, and several hundred of them assembled under the leadership

chilled the ardor of many a Federalist who owned houses, lands, or slaves. Still less popular was the Naturalization Law, which raised the time of residence for naturalization from five to fourteen years. This was aimed at resident Frenchmen, but it affected equally the foreign-born of other nationalities, and played its part in weakening the party that enacted it. The Federal party might, however, have survived all this had it stopped here. But the over-zealous party now proceeded to enact the famous, or rather infamous, Alien and Sedition Laws.

The Alien and Sedition Laws are usually named together in common parlance, but they were passed separately, though their general object was the same. The most offensive section of the Alien Act gave the President power to banish from the country, without giving a reason, without a trial of any sort, any alien whom he considered a dangerous or suspicious person. A cry instantly arose from the Republican press, denouncing the law as unconstitutional, since it denied trial by jury and usurped a power that belonged wholly to the states.

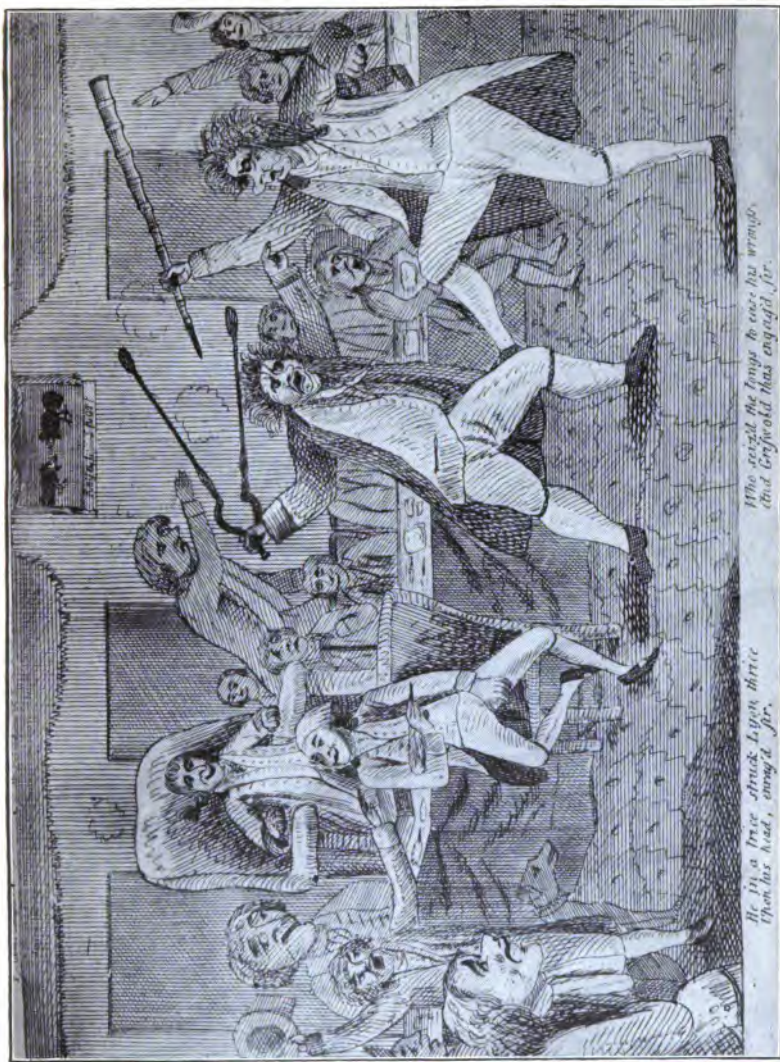
But a muzzle was soon placed on the Republican press by the enactment of the Sedition Law. The most objectionable feature of this law was that which made it a crime, to be punished by fine and imprisonment, for any one to print or publish any false, scandalous, and malicious writings against the government, Congress, or the President, with intent to defame them, to bring them into contempt, or to excite the hatred of the people against them, and so forth. This was a blow at the right of freedom of speech and the liberty of

of John Fries. This was known as the Fries Rebellion. The President sent troops to disperse the men. Fries was captured, tried, and sentenced to be put to death; but President Adams pardoned him.

the press. It was aimed chiefly at a few reckless Republican editors whose continued attacks on the high officials of the government and their acts were unsparing. Such terms as "scoundrel," "villain," and the like were in common use, and sometimes opposing editors, meeting on the street, would engage in a fist fight. But such terms were not confined to the Republican editors for whom the law was intended. The Federalist editors were equally reckless.

The Alien Act was never enforced. Its enforcement lay wholly with the President, and Adams was not radical; he was one of the very few men in public life in America who were without a French or an English bias. The Alien Law therefore remained a dead letter until it expired, two years after its enactment.

But not so with the Sedition Act; and the first to feel its weight was Matthew Lyon, a member of Congress from Vermont. Lyon was a witty, red-faced Irishman who had come to America when a boy, as a redemptioner, had served in the Revolution, had acquired large property, and now had a seat in the House of Representatives. He was a rabid Republican, and the Federalists, who thoroughly hated him, called him the wild Irishman. With one of their number, Griswold, he had had a rough and tumble fight on the floor of the House. Scarcely had the Sedition Act become a law when Lyon was arrested for publishing a letter in a Vermont paper in which he severely criticised the government for its "ridiculous pomp, foolish adulation, and selfish avarice." He was fined \$1000 and sent to prison for four months. His friends got up a petition for his pardon, but as he refused to sign it, the President refused to pardon him. But he was triumphantly reelected to Congress while still in



**ENCOUNTER BETWEEN CONGRESSMEN MATTHEW LYON AND ROGER GRISWOLD
 IN CONGRESS HALL, PHILADELPHIA, FEBRUARY 17, 1798.**

From a print in possession of Chief Justice Mitchell, Philadelphia, Pa.

prison.¹³⁹ One editor was fined and imprisoned for stating that the President was "hardly in the infancy of political mistake," another for accusing Hamilton of attempting to purchase a Republican paper in the interest of Federalism. It is plain to be seen that such a law was intended only to vent partisan bitterness, and that in the end its effect would be to injure the party that had framed it. And so it proved.

Late in the year 1798, but few months after this law went into effect, the legislature of Kentucky passed a remarkable series of resolutions, severely arraigning the Alien and Sedition Laws as unconstitutional; and a few weeks later the legislature of Virginia passed a similar series, somewhat milder in tone. Many years later it was discovered that Jefferson had written the Kentucky resolutions and Madison those of Virginia.

The Kentucky legislature modified the original resolves of Jefferson before adopting them, but the next year it incorporated much that had been omitted the year before.¹⁴⁰ These resolves set forth three important propositions: First, that the Constitution is a compact to which each state is a party, that the government created by it has certain delegated powers, and if it assumes undelegated powers, its acts are void, and that the parties to the compact, that is, the states, have a right to judge of its infractions and of the mode and measure of redress. Second, the Alien and Sedition Acts are examined and the conclusion is reached that Congress has exceeded its powers in passing them. In these two features the Kentucky and Virginia resolves agreed in

¹³⁹ Forty years afterward Congress refunded to his heirs the amount of the fine Lyon had paid, with interest.

¹⁴⁰ Jefferson wrote shortly before his death that he had nothing to do with the second set of Kentucky Resolutions. See Jefferson's "Writings," III, 429; Benton, I, 149.

substance. But in the third—the remedy to be applied—they were somewhat different. The second set of Kentucky resolves pronounced nullification the rightful remedy for assumed powers of the government. The Virginia resolutions did not use the word “nullify,” but declared that the states had the right to interpose in case the government assumed a dangerous exercise of powers. The first of these propositions, the compact theory, was one of vast consequence, and sixty years later it became the chief ground on which the Southern states justified their secession from the Union.

These resolutions made a profound sensation throughout the Union, and, though condemned by other legislatures, they did much to awaken the people to the fact that the government had overstepped its rightful authority in passing the Alien and Sedition Laws. Jefferson wrote the resolutions at a moment of intense political excitement, and, as shown by his life and writings, they did not represent his later judgment; the nullification of a national law by a state or the dismemberment of the Union for any cause was no part of his matured political creed.

The dominant party was now called to render an account of itself before the great final American tribunal,—the people,—for the time had come for another presidential election. Not only had the party offended property owners by its house and slave tax, foreign-born citizens by its Naturalization Law, and many lovers of liberty by its Alien and Sedition Laws; it had also to contend with irreconcilable factions within. Adams had made the serious mistake of retaining Washington’s Cabinet entire, and it was composed of men who looked to Hamilton rather than to the President as their political oracle. Indeed, Adams never enjoyed the

confidence of this Cabinet, and when he appointed the last mission to France without consulting them they broke into open rebellion. Adams dismissed them and appointed John Marshall secretary of state, and Samuel Dexter secretary of war;¹⁴¹ but the party was already rent in twain, and in this condition we find it at the coming of the election of 1800. Hamilton went so far as to write a scathing pamphlet against Adams to show his unfitness for the presidency.¹⁴² And yet Adams, whose Revolutionary services were still remembered by the people and whose rugged honesty could not be questioned, was the only Federalist who could hope for success; and Hamilton at length came to his support "to save us from the fangs of Jefferson." But the mischief had been done. Hamilton's letter had been published broadcast in the Republican press.

The great Republican leader, from the irresponsible watch-tower of the vice presidency, had for four years watched the political chessboard with eagle eye. He had done more. He had guided with an unseen hand the outlying battalions of his army of followers to the remotest corners of the Union; he had set public opinion against the Alien and Sedition Laws without the public's knowing who was its guide; he knew the political complexion of every state legislature, and the approximate political condition of almost every county in the United States. The Republicans had no second choice for the presidency; Jefferson was their

¹⁴¹ This change, however, was not made till May, 1800.

¹⁴² His object was to win a larger vote for C. C. Pinckney, who was also on the ticket, than for Adams, and thus to make Pinckney President. Had the Sedition Law not been a purely partisan affair, Hamilton would have been subject to arrest for this letter. See *Aurora*, November 4, 1800.

unus solusque, and they placed Aaron Burr on their ticket for the vice presidency.

The campaign was the most acrimonious in the history of the country. The unpopular Federal laws furnished the chief issue; but, having exhausted their political thunder, both sides stooped to personalities, and Adams and Jefferson were denounced unsparingly by their respective enemies. The electoral college was carried by the Republicans, who polled seventy-three votes to sixty-five by the Federalists. But there was no election. Jefferson and Burr had received the full Republican vote, and, as the Constitution did not authorize the electors to choose between them, this duty devolved on the House of Representatives. Here was a dilemma. The House was controlled by the Federalists. Each state had one vote, cast by a majority of its delegates. There were sixteen states, and it required nine to elect. The Federalists might permit the selection of Jefferson or Burr, or they might prevent an election and by act of Congress choose a President *pro tem.* from their own party. This latter scheme was discussed in their newspapers, and had it been carried out civil war would have followed; for the Middle states threatened to arm the moment such a bill should pass.¹⁴⁸

The Federalists then determined to elect Burr, not that they loved him more, but Jefferson less. Their motive was ignoble, and was born of chagrin at their defeat at the polls, a desire for revenge on their successful rivals, and the hope of intriguing with Burr for a share in the offices. Their plea that they regarded Jefferson a dangerous man was insincere, for Burr was no less so, and they knew it. Burr had not been dreamed of for the presidency by his own party.

¹⁴⁸ Schouler, Vol. I, p. 483.

Why should he be thrust upon the party by its enemies?

The House met to decide the momentous question and the country held its breath. On the first ballot Jefferson received the votes of eight states, Burr those of six, while the votes of two, Vermont and Maryland, were a tie. The balloting went on day after day with little change, when the influence of a great man—great in soul with all his faults—came to decide the question. It was Hamilton. He contended that it was dangerous to thwart the will of the people who had carried the election, to thrust upon the country a chief magistrate who had been nobody's candidate. And further, he knew Burr to be a self-seeker of dangerous ambition. He believed Jefferson to be patriotic and honest, with all his heresies, and preferred to see the country in his "fangs" rather than in those of Burr. "I cannot," said Hamilton, "remain with a party which so degrades itself as to elect Burr." Through the advice of Hamilton the Federalist delegates from the divided states withdrew or voted blank, giving those states to Jefferson, who was elected President on the thirty-sixth ballot.

The Federal party took its defeat ungracefully. It spent the last weeks of its power in passing a law, known as the Midnight Judiciary,¹⁴⁴ which every fair-minded student of history must condemn. By this act twenty-three new judicial districts were created, and the outgoing President filled these offices, the only life-tenure offices under the Constitution, with members of his own party. The business of the courts did not call for such an extension, as it came to do in later years, and the object of the Federalists was to

¹⁴⁴ So called because Adams was said to have spent his time signing the commissions till midnight on the last day of his term.

intrench themselves in power where they believed their opponents could not reach them.

John Adams now retired from public life, and his remaining twenty-five years he spent as a private citizen at his New England home. He was far less fitted for the great office than either of the men between whose administrations he served. He was honest, upright, and patriotic to the last degree; but he was irascible, suspicious of others, stubborn, and wholly incapable of winning and managing men. In his foreign policy he was broad-minded and intensely American. The motives for his actions could seldom be questioned when fully understood. In one thing, however, in the part he played in the Midnight Judiciary, it is difficult to find a trace of broad-minded statesmanship. And yet at the end of his term ¹⁴⁸ he did a great service for his country,—an act the effect of which is still felt in our government,—he appointed John Marshall chief justice of the Supreme Court.

The downfall of the Federal party was final. This first great political party in America had piloted the ship of state upon a stormy sea for twelve years, but now at the close of the century it suffered an irrevocable overthrow. The Federal party embodied in its doctrine much that is of permanent value in human government; and it did a great service to the country, and was necessary to save the newborn nation from anarchy. But it was too centralizing in its tendencies, and from this cause the party was never popular; for the people, ever jealous of their liberties, feared that the government would become tyrannical and oppressive. Moreover, the party committed the unpardonable sin in passing the Alien and Sedition Laws, and the sovereign

¹⁴⁸ About six weeks before he retired from office.

people sat in judgment, and passed upon it the sentence of death. But these laws were the occasion, not the cause, of its overthrow. The vital defect lay in its distrust of popular government—its want of confidence in the people. The party “represented the ideals of a bygone age,” but a new century had dawned and had brought with it new ideals with which the old party was unable to grapple, and its fall was inevitable.

But truth cannot die, and the truth embodied in old Federalist doctrine still lives. Not only did the party that defeated it gradually adopt its best principles, but every great party from that time to the present has done the same thing. May the old party ever be held in grateful remembrance by the American people.

NOTES

Citizen Genêt.—This bustling, irascible Frenchman came to America boiling with enthusiasm for the French Revolution and the rights of man, and he would fly into a passion at every obstacle that tended to cool his ardor. In Philadelphia a great banquet was held in his honor, and the head of a roast pig, severed from the body, was named Louis XVI, and passed around the table. Each guest viciously plunged a knife into the pig’s head while uttering some sentiment about liberty and the rights of man. The French craze that spread over the country at the time of his coming was very remarkable. People imitated the French in wearing the cockade, in erecting liberty poles, and in addressing men as Citizen and women as Citizeness. These titles were used on letters, business documents, in marriage and death notices, and were even carved on tombstones. At length the newspapers began to make fun of the craze and it became the subject of many a witticism. One facetious editor suggested Biped as suitable for both sexes.—See McMaster, II, 94.

Genêt never returned to France. The Girondist party that had sent him lost control of the government, and he feared the guillotine should he return. He became an American citizen, married a daughter of Governor Clinton, settled on the Hudson, became a scientific farmer

and an ornament to New York society. He died in 1834, at the age of sixty-nine years.

Death of Washington.—On December 15, 1799, one of Washington's attendants, named Tobias Lear, dispatched a letter from Mt. Vernon to President Adams at Philadelphia, a part of which is as follows:

"Sir: It is with inexpressible grief that I have to announce to you the death of the great and good General Washington. He died last evening between ten and eleven o'clock, after a short illness of about twenty-four hours. His disorder was an inflamed throat from cold. Every medical assistance was offered, but without the desired effect. (Three physicians, Drs. Dick, Craik, and Brown, were called in.) His last scene corresponded with the whole tenor of his life. Not a groan nor a complaint escaped him though in deep distress. With perfect resignation and a full possession of his reason he closed his well-spent life."

On the 12th Washington went out to ride about his large farm and was caught in a storm of rain and hail, but he continued his ride for some hours and took a severe cold which soon developed into acute laryngitis. The physicians bled him twice, and they have been severely criticised for this; but letting blood for almost every ill was common in those days.

Washington was tall and muscular. He wore a No. 13 boot, his hands were large, his hair light brown, his eyes cold gray, and his voice rather weak. He weighed two hundred pounds, could cover twenty-two feet in a single running jump, and was an excellent shot, swordsman, and rider. He was probably the richest of our Presidents thus far. He owned thousands of acres of land in Virginia and at one time twenty thousand acres along the Ohio River. His estate was valued at about half a million dollars, but it consisted of lands, herds, and slaves, and he was at times hard pressed for money. He had to borrow money to take him to New York to be inaugurated President.

The New Capital.—The government began its operations in the city of New York, in the spring of 1789; but some months later it moved to Philadelphia, the largest and most important city in the Union, and here it remained for ten years. In the autumn of 1800 the capital was moved to Washington City, and Jefferson was the first President to be inaugurated there. The District of Columbia lay on both sides of the Potomac and the Maryland side was chosen for the seat of government. The farmers who owned the land deeded it to the commissioners and received in compensation half the unused lots, after the streets, parks, and public building grounds were reserved. Major L'Enfant planned and laid out the city. The corner stone of the Capitol

was laid in September, 1793. When the government removed thither the city was a wilderness. There was but one good hotel. The President's house was in an open field, and this, with the unfinished Capitol and a few scattered houses along the unpaved streets, constituted the town. There was no business and no society. The city grew slowly, and eight years after Congress had removed thither, a proposition to return to Philadelphia was seriously considered. But as the nation grew the city improved, and to-day it is pronounced the most beautiful capital city in the world.

CHAPTER XIX

JEFFERSON AND THE DEMOCRACY

SCARCELY greater was the Revolution by which the country was wrested from British dominion than was the political revolution of 1800, by which the government passed into the hands of the democracy. And no greater fortune could have come to the young Republic than this political revolution. What the country most needed in 1800 was a national consciousness, and nothing could bring this about so quickly and so well as giving the control of the nation to the party of the masses. The Federal party, however, had done a noble work; it had laid the foundation of nationality—as essential as was the structure of democracy now to be reared upon it. But as a candle sacrifices itself in giving light, so the Federal party had given its life in laying this foundation, such as Jefferson and his party could not have laid—a foundation which our great government of to-day could not do without.

The America of to-day was not born before 1800. After the Revolution the states had settled back into their old colonial habits, and almost every American ideal up to the end of the century bore the colonial stamp, or that of England or France. Even in politics the chief issues after 1792 were foreign, and not before the dawn of the nineteenth century did there exist a truly American spirit; and not until after the second war with England did the people fully open their eyes to the vast possibilities that lay before them.

A VIEW OF THE PEOPLE

What we have said in a former chapter of colonial life in 1760 will apply for the most part to the present period. We find still a nation of farmers, bad roads, and poor postal service. In 1790 there were but seventy-five post offices in the United States. Many of the comforts and necessities so highly prized by us were unknown at this period. The application of steam power in our great factories, the railroad, the steamship, the telegraph, the telephone, the sewing machine, the use of gas and electricity for lighting—all have come into use since the close of the eighteenth century. In nothing has our wonderful progress been more striking than in the means of travel, in which for two thousand years the world had made no improvement. To-day one can take a richly furnished sleeping car at Philadelphia in the evening, be rocked to sleep by the rumbling of the train, and wake next morning at Pittsburg, or Buffalo, or Boston. A hundred years ago such journey made in the stagecoach was long and laborious. But the people traveled little in comparison with the endless hurrying to and fro of all classes in our own times; and of those who sought a home in the great valley beyond the mountains few were ever seen again by friends and kindred who remained in the East. The people away from the seacoast lived in log cabins; their diet was salt pork and corn bread three times a day, with game, poultry, vegetables, and fruit occasionally. Drinking was universal among men and youths, and every family kept liquor in the house. While drunkenness in its worst form was seldom seen, it was not unusual to find almost any one, even the minister, slightly intoxicated. Gambling was also common in many parts of the country; but the moral stand-

ard between the sexes was higher than that of any European people.

The Revolution had not been an unmixed blessing. It had brought political independence; but it had shaken society to its depths, and the immediate effect on religion and education was deleterious. The country had not yet broken away from its European leading strings. It had taken but one great step in advance of the Old World—it “had agreed to try the experiment of embracing half a continent in one republican system.”¹⁴⁶ And this was in itself a source of boundless inspiration. Here was a vast continent with its untold wealth of minerals and fertility of soil. Here, too, was a free people, a self-governing democracy. No royal dynasties here to oppress the people with arbitrary laws and burdensome taxation; no idle aristocracy or profligate nobility to sap the substance of industry and forever to remind the son of toil of his humble social condition. For such there was no room in this liberty-loving land; for here, barring the one great national evil of slavery, every man was a master.

There were some signs of the dawn of a new era in various spheres of activity. Washington had secured neutrality; Whitney with his cotton gin had removed the great obstacle to the industrial development of the South; John Fitch and James Rumsey had shown the practicability of steam navigation, but years were yet to pass before their ideas were to be developed by Fulton and Livingston; Oliver Evans, the “American Watt,” had invented a steam engine, but this too was to be laid aside until a phlegmatic public could be roused to a sense of its usefulness; in the world of art West and Copley were making a name for America in

¹⁴⁶ Henry Adams, Vol. I, p. 73.



1735—JOHN ADAMS—1826.

BY WILLIAM WINSTANLEY, 1798.

From the original portrait in possession of Charles Francis Adams, Esq.,
Boston, Mass.

foreign lands; in literature President Dwight, Barlow, Freneau, and Brockden Brown had prepared the way for the greater lights, Irving, Bryant, and the galaxy of New England literati to be born within the first decade of the dawning century; manufactories on a small scale were multiplying, and commerce was swelling in volume. But with all this we look in vain in 1800 for the inventive genius, the unwearied energy, the boundless self-confidence and faith in the future that characterizes the America of to-day.

The census of 1800 showed a population of five and a third million,¹⁴⁷ one fifth of whom were slaves. Virginia still held the first place in population, Pennsylvania the second; but Massachusetts had been outrun by New York, which now held third place, while the old Bay State came fourth. For half a century the increase in population had been a natural increase, for the great tide of immigration that has poured in a steady stream upon our shores for nearly a century had not then made a beginning.¹⁴⁸ Nine tenths of the population were still to be found east of the Alleghanies; but the course of empire had begun to make its way westward, and more than half a million people had already found homes in the great valley of the Mississippi.

Three great roads led from the seaboard to the region beyond the mountains,—one from Philadelphia to Pittsburgh, another from the valley of the Potomac to the Monongahela, while a third led from Virginia in a southwesterly direction to the land of Tennessee. The largest of the western settlements was that of Kentucky, which contained

¹⁴⁷ 5,308,483.

¹⁴⁸ For thirty years after the adoption of the Constitution the foreign immigration to America averaged about five thousand a year. It was not till after 1840 that the immigrants reached one hundred thousand a year.

upward of two hundred thousand inhabitants; the state had been admitted into the Union as the fifteenth. South of Kentucky lay the beautiful valley of the Tennessee and Cumberland rivers. Not until after the French War were permanent settlements made in Tennessee. In 1785 they had grown to many thousands of people, and they sought admission to the Union as the state of Frankland or Franklin.¹⁴⁹ Their effort was not successful, but eleven years later the state entered the Union as Tennessee.

One more new state belongs to this western group that entered the Union at this period. The great stretch of wilderness between Kentucky and Lake Erie, with its wooded hills and fertile valleys, known by the beautiful Indian name of the river that belted it on the south, was the chief prize for which the French and Indian War had been waged. After this war had given the territory to the English and the Revolution had given it to the Americans, various disputes arose concerning the ownership of the soil. Virginia in giving up her uncertain claims retained a large tract, some three and one half million acres, in the south central portion, known as the Fire Lands,¹⁵⁰ while Connecticut took possession of an equal portion in the eastern part on the lake shore, known as the Western Reserve. The first permanent settlement was made by Rufus Putnam, "The Father of Ohio," who, in 1788, settled with some forty families at the mouth of the Muskingum River, founded a town and named it Marietta, in honor of the unfortunate queen of France.

But Ohio was not to be won by white men without the most serious conflict with the natives. Two years after the

¹⁴⁹ Roosevelt's "Winning of the West," Vol. III, p. 144.

¹⁵⁰ So called because they were set apart for soldiers and others whose property had suffered by fire during the Revolution.



1736—ARTHUR ST. CLAIR—1818.

By CHARLES WILLSON PEALE, 1798.

From the original portrait in the old State House, Philadelphia.

settlement was made by Putnam, General Harmar suffered a defeat at the hands of the Indians of the Northwest, not far from the site of Fort Wayne. President Washington then chose General Arthur St. Clair to lead an army against the Indians. St. Clair was the grandson of a Scotch earl; he had reached America in the midst of the French and Indian War; he was with Amherst at the capture of Louisbourg; with Wolfe at the fall of Quebec; and later he served valiantly against his native land in the Revolution. After the war he became governor of the Northwest Territory and commander in chief of the army. He gave the growing village in southwestern Ohio the name of Cincinnati. Washington now chose him to chasten the savage natives of the Wabash Valley. With eighteen hundred men St. Clair moved to a branch of the Wabash, where he was ambushed by a large body of Indians. His army was cut to pieces, and it escaped by flight into the forest only after leaving nearly half its number dead or wounded on the field. This was one of the most disastrous and crushing defeats recorded in Indian warfare. The people of the country were shocked at the news. St. Clair was severely censured; and he never rose again in public estimation. The President now chose General Anthony Wayne, the hero of Stony Point, to put down the western Indians. Wayne marched into the Indian country late in the autumn of 1793, and the following August he met the allied tribes at a place called Fallen Timbers, not far from the present Maumee City. The battle was decisive, and the Indian power was utterly broken. Wayne pushed on to the banks of the Wabash, built a fort, and called it after his own name, and the thriving city that has grown up near the spot has retained the name of Fort

Wayne. The territory now filled rapidly, and in 1803 Ohio joined the sisterhood and became the seventeenth state.

A VIEW OF THE LEADERS

Thomas Jefferson was a scion of an old family that belonged to the landed aristocracy of Virginia; but nothing in his appearance or his manner indicated that he had not sprung from the common crowd. He was a democrat in spirit, and no discerning student of history can attribute to him selfish motives in espousing the cause of democracy. He was tall and loosely built, with a sandy complexion, a sunny countenance, a freckled face, and hair tending to red. His manner was shy and retiring, his clothes ill fitting, his speech loose and rambling, with now and then a brilliant sentiment sparkling from him.¹⁸¹ Such was the man who stood, almost carelessly, before John Marshall in the Senate chamber on March 4, 1801, and took the oath of office as President of the United States.¹⁸²

The new President chose as his secretary of state his most intimate friend, his life-long companion, James Madison. For secretary of the treasury he chose Albert Gallatin of Pennsylvania, and these three formed the great triumvirate in whose hands lay the fortunes of the United States for years to come. Both Madison and Gallatin were, like their chief, "well born," and they had always moved in the best social circles. Madison was a small, neat, well-dressed man, full of good humor and anecdote. Gallatin, a young man of forty years, was a Genevan by birth, and a slight

¹⁸¹ Maclay's Diary.

¹⁸² Jefferson had walked quietly to the capital with a few friends. The story that he rode alone on horseback and tied his own horse in order to give an example of democratic simplicity, has long been refuted. See McMaster, Vol. II, p. 533 *sq.*

foreign accent always marked his speech. He, like Madison, was well educated, and was eminently fitted for the great work before him. Never in our history were there three kindred spirits in high public life more truly companionable, more honest, or more sincerely devoted to the public welfare than were Jefferson, Madison and Gallatin.

The far-sighted Hamilton predicted a conservative administration for his great political enemy. And the latter seemed to give early promise of this. The inaugural was wise and tactful throughout, as well as conciliatory, and the ultra-Federalists, who had expected to hear the wild harangue of an idealist, were not a little discomfited. Jefferson's first ruffle with the opposite party arose from his removal of a few Federalist officials to make room for his own followers. "If a due participation of office is a matter of right," he wrote, "how are vacancies to be obtained? Those by death are few, by resignation none." His party followers had been wholly excluded from the Federal offices, and he felt that it was only fair play that they should be recognized. But he proceeded very moderately, and had no thought of making a clean sweep. During the first fourteen months he removed but sixteen Federalists to make room for Republicans,¹⁸⁸ and he refused to appoint any of his relatives. In 1802 he wrote, "I still think our original idea as to office is best, that is, to depend for the obtaining of a just participation on deaths, resignations, and delinquencies."

¹⁸⁸ This number is given by Schouler (Vol. II, p. 9). Calhoun in a speech in 1835 gives 42 as the number of Jefferson's removals in eight years. McMaster cites 99 removals for the first year; but many of these were not for political reasons. Fish, in *Rep. Amer. Asso.*, 1899, Vol. I, p. 170, gives total of removals from civil office in eight years as 109, military, 15.

Again Jefferson awakened the wrath of his opponents by pardoning the men who were still languishing in prison under the Sedition Law, and by his crusade against a few of the most offensive of the Federalist judges. The judge breaking, however, came near the close of Jefferson's first term. Judge Pickering of the New Hampshire district was removed on a charge of drunkenness and incompetency, and Judge Chase of the Supreme Court was impeached by the House for "offensive partisanship," but was acquitted by the Senate.

On the whole Jefferson's administration started out auspiciously, and thousands of the milder Federalists were won over to the standard of the democracy. This was clearly shown in the state elections in the autumn of 1801, for before the close of the year every governor outside of New England was Democratic, and so was every legislature except that of Delaware, while in New England Rhode Island and the city of Boston had also joined the majority. Jefferson's earnest desire was to cut down the expenses of the government wherever possible. He discontinued the missions to Holland, Portugal, and Prussia, and he would have sold the few vessels of the navy had not a new use for them suddenly developed.

The Moslem powers of North Africa had for some years been pacified with money, until two million dollars had been used to purchase immunity from their piratical vessels. But they became more insolent, and in 1801 Tripoli, to secure a larger tribute, declared war against the United States. This challenge was accepted, and instead of paying further tribute the President sent Commodore Dale with three frigates and a sloop of war to the Mediterranean. A Tripolitan cruiser was captured, and the Barbary states were

so overawed that they gave no more trouble for several years.

It was not until after the meeting of Congress in December, 1801, that the new President could show that he was sincerely in earnest in his desire to retrench the expenses and to reduce taxation. Both houses were now Democratic¹⁸⁴ by easy working majorities. But there was no great leader in Congress, nor was one greatly needed, for they had an able master in the President. No other President in American history has so completely directed his Cabinet and the Congress as did Jefferson.

He managed, not by threats nor by violence, nor by a use of the patronage, but in his own deft, quiet way, with that delicate touch at the right place and the right moment, which eludes every attempt to describe. There was no important act of Congress during the first eight years of the century that did not bear the stamp of the genius of Jefferson. And even in the Cabinet, with such leaders as Madison and Gallatin, without one display of temper, with never an angry word, Jefferson was the undisputed master during the eight years.

But few months after Congress had met it passed an act abolishing all internal revenue on distilled spirits, the stamp tax, and the tax on carriages. It also reduced the army to about three thousand, sold some of the vessels of the navy, and lowered the salaries of customhouse officials. These acts greatly reduced the number of officials, and Jefferson further proved the sincerity of his professions by consolidating two or more offices into one wherever the public

¹⁸⁴ I shall use this term henceforth to designate the party founded by Jefferson, though he never gave up the term "Republican" as long as he lived.

business would warrant it. Thus the President reduced the patronage at his disposal and weakened his own power in order to carry out a principle, and the example is one of the rarest in history.

Congress next addressed itself to a few of the obnoxious laws made by the Federalists. The Alien and Sedition Acts had expired; but there stood the Naturalization Act and the Midnight Judiciary. The former was remodeled and the time reduced from fourteen years to five, where it still remains.

The Judiciary Act, so distasteful to the Democrats, seemed to interpose an obstacle; but this was soon overcome. The act had been passed by the Federalists after it was known that the Democrats had carried the election, and yet not one of the newly created offices was left to be filled by the incoming administration, and each new judge was supposed to hold the office for life. The Democrats regarded this as a gross abuse of power, and they determined to undo the work of their defeated rivals. A way was soon found. They could not take the man from the office, so they determined to take the office from the man. The Judiciary Act was repealed entire; but many years later, long after the Federal party had passed away, the growing business of the Federal courts demanded an extension of its service, similar to that which was now repealed.

LOUISIANA

The greatest diplomatic achievement in the annals of the United States was the acquisition of the vast, unbounded region beyond the Mississippi known as Louisiana. This immense territory had been taken possession of by France through the explorer La Salle in 1682. Eighty

years later France ceded it to Spain, at the time when she gave up Canada and the Ohio Valley to England. Since then a mighty genius had risen in France in the person of Napoleon Bonaparte, and through his surpassing skill, aided by the spirit of the Revolution, that country had surged to the front until Spain was a weakling in comparison. At this stage Napoleon, now First Consul of France, looked upon the great Spanish-American forest with covetous eyes, and he forced its cession by Spain to himself by a secret treaty at San Ildefonso in the year 1800.

The secret soon became an open one, and when the news reached President Jefferson his keen eye at once detected trouble for his country. To Robert Livingston, our minister at Paris, he wrote: "There is on the globe one single spot the possessor of which is our natural and habitual enemy. It is New Orleans. . . . Spain might have retained it quietly for years . . . the day that France takes possession . . . seals the union of two nations. . . . From that moment we must marry ourselves to the British fleet and nation."

Jefferson had ever been partial to France. What a menace to the country must have loomed before his vision to have wrung from him such a statement as the above. But this was not all. In the midst of the excitement over the retrocession the Spanish intendant at New Orleans closed the mouth of the great river to American trade, in violation of the treaty with Spain of 1795. This brought a cry of rage from the Mississippi Valley. The people of the West had no other outlet for trade. They threatened to march down the river and take possession of New Orleans by force, or to throw themselves at the feet of England, if their own government did not come to the rescue.

Jefferson was a man of peace; but the clamor from the western frontier grew louder, and something had to be done. At length it was determined to set apart two million dollars for the purchase of West Florida and the island of New Orleans,¹⁸⁸ and thus to secure forever a passage down the great waterway. James Monroe was then sent to join Livingston at Paris, with power between them to effect the purchase. Jefferson had little hope of success. His object, as he stated privately, was to "palliate and endure," and to quiet the people of the western country until a war should break out between France and England, when he would cast his lot with the latter.

Napoleon had acquired Louisiana for the purpose of colonizing it; but after losing two or three good armies in Santo Domingo, the island of rebellious blacks, he found it difficult to carry out his projects in the lower Mississippi Valley. Furthermore, he expected another war with England. For this he would need money; and besides, as England was the greater sea power, she might, in case of war, land an army on the coast of Louisiana and hold the territory by right of conquest. Napoleon had little love for the United States; but his love for England was still less, and he was too shrewd to play into the hands of his great enemy. Moreover, Napoleon saw that by a single stroke he could win the good will of America and prevent Jefferson from carrying out his threat of forming an alliance with England. Moved by these considerations, he offered to sell all Louisiana to the Americans. The offer was made to Livingston just before, and repeated soon after, the arrival of Monroe. The price asked was \$20,000,000, and

¹⁸⁸ This object was understood, but was not mentioned in the resolutions.

the two Americans had been authorized to offer as much as \$10,000,000 for West Florida and New Orleans. At length a bargain was made by which America was to pay \$15,000,000 for the entire territory. One fourth of this was to be paid to Americans holding claims against France, while the remaining three fourths were to be paid in six per cent bonds. The famous treaty was signed on April 30, 1803,¹⁸⁶ by Marbois for the French, and by the two Americans, subject to the ratification of their government.

The bargain was a great one for America. It not only precluded all possibility of a foreign power getting a footing on the lower Mississippi; it also secured forever the control of the great river and added to the United States a vast, fertile domain of unknown bounds. As afterward ascertained, Louisiana,¹⁸⁷ contained 1,171,931 square miles—more than all the original thirteen states combined. "You have made a noble bargain for yourselves," said Talleyrand to Livingston, "and I suppose you will make the most of it."

Actual possession soon placed our title to Louisiana beyond dispute; but, strictly speaking, the sale was not legal. Napoleon had agreed to convey to Spain a dukedom on the Arno River, for the son-in-law of the Spanish king, in payment for Louisiana; but the price was never paid. The treaty of Ildefonso also stipulated that France should not cede the territory to any foreign power; but Napoleon disregarded this. In point of fact, France, therefore, did not own Louisiana; and even if she had owned it, the cession, according to the French Constitution, could not be made without the consent of the Chamber of Deputies, and

¹⁸⁶ The English copy was signed a few days later.

¹⁸⁷ Including Alabama and Mississippi south of 31°. For Louisiana see map following p. 114, Vol. V.

this the First Consul never obtained and never sought. The French people were astonished at this action of their ruler; but he was the master, and they were powerless.

Far sadder was the wail from Spain. The Spanish government protested feebly, pathetically; but its voice was not heard. The Spaniards believed that they could not hold their American possessions with Louisiana in the hands of the rising free Republic—and they were right. They believed that the news of the cession sounded the death-knell of the Spanish empire—and so it did.

The people of America, on hearing the news from Paris, were astonished at the magnitude of the transaction that gave them such a princely domain. President Jefferson readily saw what the new purchase meant in the future development of America; but, true to his strict construction principles, he pronounced the purchase unconstitutional.¹⁸⁸ This view he expressed by letter to various friends, and he drew up an amendment to the Constitution, giving the government power to incorporate Louisiana with the United States and make it a part thereof, and sent it to his Cabinet. But he was soon alarmed by word from Livingston, who stated that there was reason to fear that Napoleon would change his mind and yet prevent the cession. Jefferson took the alarm and instantly enjoined his friends from saying anything of the constitutional limitations until the transfer was accomplished, after which he advocated that an amendment should be adopted to make the purchase valid. He called Congress to meet in October, six weeks before the usual time, to deal with the great subject. After a

¹⁸⁸ It was not so much the purchase as the provision in the treaty providing for its incorporation as a part of the United States that troubled Jefferson.

brief debate, in which the Democrats took a ground which they would have opposed during the old Federal days, the purchase was ratified, and all thought of amending the Constitution was abandoned.

A formal transfer of the territory was made in December, and before the close of that month a bill for its government was introduced. The bill, which became a law in March, 1804, divided the territory into two parts at the thirty-third parallel. The northern portion, which contained few white inhabitants, was called the District of Louisiana and was put under the government of Indiana Territory, which was governed by the Ordinance of 1787. The southern district, called the Territory of Orleans, contained some fifty thousand people, chiefly French. The inhabitants were given no share in the government. The governor and the secretary were to be appointed by the President for three years, and the judicial officers for four years. This was another long stretch of the Constitution, as Jefferson formerly understood it; but it was practically sustained in 1828 by Chief Justice Marshall when he decided, concerning the inhabitants of Florida, that the people of a territory have no political rights before the territory becomes a state.

One of the interesting features of the debates on the purchase and government of Louisiana arose from the fact that the Federalists planted themselves firmly on the theory of strict construction, while the Democrats occupied the ground of loose construction, formerly held by their opponents.

While Jefferson was yet in Washington's Cabinet, he proposed an exploring expedition to the great Northwest. When elected President he was still thinking of this, and

after the purchase of Louisiana Territory, which extended far up the Missouri, he determined to carry out his project. He chose one of his secretaries named Merriwether Lewis to lead the expedition, and Lewis chose Captain William Clark as his associate. After spending a winter in camp near the mouth of the Missouri, the company, numbering forty-five men,¹⁸⁹ began their ascent of that river in the spring of 1804. They followed the river until late in October, when they encamped for the winter near the site of Bismarck, North Dakota. Early in the spring they resumed their journey, and in May they came for the first time in view of the Rocky Mountains. On reaching the Columbia, that noble river which Captain Grey had discovered fourteen years before and had named after his ship, they floated with its current. Their journey was full of hardship, but they were repaid with many romantic scenes,—cascades of marvelous beauty and snow-capped mountains skirted at the base with gigantic forests. They met and made friends with many Indian tribes.

On the morning of November 7, 1806, after a journey of a year and a half through the wilderness, they saw for the first time the blue line in the western horizon which told them that the end of their journey was at hand. It was the Pacific Ocean, that vast watery plain on which Balboa had gazed with a swelling soul, through which Magellan had plowed with his hardy seamen until he had belted the globe. After spending the winter on the coast they returned to the United States, reaching St. Louis in September, 1807. In two and one half years they had traversed nine thousand miles of unbroken wilderness un-

¹⁸⁹ Sparks, in his "Expansion of the American People," p. 212, gives this number; H. H. Bancroft gives twenty-eight.

trodden before by the foot of the white man. Their journal, published a few years later, conveyed much important information on the Great West. It was largely on this expedition of Lewis and Clark that our government forty years later based its claim to the Oregon country, when the settlement was made with Great Britain. At this time (1806) Zebulon Pike made a great exploring tour of the middle West, crossing the plains to the site of Denver, thence turning southward to the head waters of the Rio Grande.

BURR AND HAMILTON

The administration party grew steadily in popular favor until, at the close of the year 1803, Federalism was practically dead outside of New England,¹⁰⁰ and even in that section the Democrats had made gains in every state. The leading New England Federalists viewed the impetuous sweep of democracy with alarm. They had expected to see the ship of state founder under the guidance of the mob and the rabble, and themselves to be soon recalled to the helm; but the country was still prosperous and the democracy was strengthening every hour, while they beheld their own party melting away like snow beneath an April sun. The dying party was led by the senators Timothy Pickering of Massachusetts, former member of the cabinets of Washington and Adams, and Roger Griswold of Connecticut. These men were doubtless honest; but they were too narrow to stand aside and say, If the democracy has the ability to rule, and if a majority prefer a rule of the democracy, give it a fair trial. On the contrary, the

¹⁰⁰ Except in Delaware, Maryland, and South Carolina, where it still held on feebly.

greater the success of their opponents, the wilder was their cry against the modern evil of democracy.

The Louisiana Purchase was now made the pretext for a conspiracy to dissolve the Union. With this great territory carved into growing states, the West and the South will overshadow and rule the East, said the conspirators, and there is nothing left but to shatter the whole structure and set up a New England Confederacy.¹⁶¹ Pickering made known his scheme to such Federalists as George Cabot and Fisher Ames; but these men, while also alarmed at the rising tide of democracy, pronounced the scheme of disunion unpracticable. In spite of this discouragement the leaders pressed on, and in addition to New England they decided that they must have New York. But New York was Democratic, and they could hope to win the state only through some disaffected member of that party; and they soon found him in the person of Vice President Burr.

It was an opportune moment to approach Aaron Burr. He was in the midst of a terrific political battle in New York, where the great ruling families of Clintons and Livingstons had combined against him, and to these was added the power of the administration; and Burr saw that the battle was going against him. Burr was a restless soul. His patriotism was shallow. He had no fear of the democracy, and yet, when approached by the Federalists who disclosed their scheme of breaking up the Union, proposed to make him their leader if he would give them New York and, as an earnest of their good intentions, offered to sup-

¹⁶¹ An admirable account of this conspiracy is given by Henry Adams, Vol. II, Chap. VIII. This historian is a grandson of John Quincy Adams, who was, at the time we are treating, Pickering's colleague in the Senate, but who was wholly averse to disunion.

port him for the governorship of that state at the coming election, he fell in with their plans, though cautiously and with few promises. His probable motives were twofold: to gratify his personal ambition, and to be revenged on his political adversaries.

It was believed by many that Burr could be elected, if supported by the Federalists and by his personal following in his own party. And probably he would have succeeded but for one obstacle that proved to be fatal. Alexander Hamilton was the obstacle. Hamilton was no friend of disunion, though he believed democracy to be a disease; and further, he and Burr had for years been political and personal rivals, almost enemies, and nothing could now persuade him to join a movement which meant to give Burr a leadership over himself. He professed to believe that Burr was a dangerous man; his opinions were published in the newspapers, and they influenced many voters. Burr was defeated by the Clinton-Livingston candidate, and the disunion conspiracy was broken to fragments; but the remaining malcontents, the dregs of a once noble party, continued to rail against popular government of the Jeffersonian type until ten years later, when they met political death by suicide in the Hartford Convention.

Aaron Burr brooded over his downfall. Nothing was more certain than that his political fortunes in New York and in the nation were shattered beyond repair. He felt that he would have won in this battle had it not been for Hamilton, who prevented his receiving the full Federalist vote. Nor was this the first time that Hamilton had thwarted his ambitions. The more Burr brooded over the matter, the more he blamed Hamilton for all his misfor-

tunes, and he desperately resolved to get rid of his great enemy. He challenged Hamilton to a duel.

Dueling was common in those days. The great public had not yet come to see that the practice is wrong. It smiled on it, applauded it, and branded the man as a coward who refused to meet his antagonist on "the field of honor." And the average man was too much of a real coward to endure being called a coward. Even Hamilton had not the moral courage to defy public opinion and refuse to fight a duel. He accepted the challenge.¹⁰³

In the gray dawn of that sultry summer day in July, 1804, the two men with their seconds rowed silently across the Hudson, and as the earliest rays of the rising sun streamed through the trees, they stood face to face on the old dueling ground under the rocky heights of Weehawken. Hamilton seemed undecided and vacillating; Burr was keen-eyed and determined. At the signal of fire, but one shot was heard, and Hamilton fell upon his face, shot through the body. As he fell his pistol was fired into the air some feet above Burr's head, whether accidentally or not was never known. He had said to a friend that he intended to throw away his first fire. His friends now bore the wounded statesman back to his home in the city. Next morning he was dead.

Among American statesmen Alexander Hamilton must be placed in the first rank. Born in the West Indies in 1757, of Scotch-French parentage, he came to the colonies as a boy of fifteen, seeking his fortune. At the outbreak of the Revolution we find him at King's College, in New York, and he left his course unfinished to join the army. He

¹⁰³ Hamilton claimed that he fought only to save his political influence, but his brain was quite fertile enough to do that without the duel.



1756 — AARON BURR — 1836.

BY GILBERT STUART.

From the original portrait in the New Jersey Historical Society, Newark, N.J.

served throughout the war, a large part of the time on the staff of Washington, and he gave evidence of possessing a high order of military ability; but the war was closed while he was still a youth, and never afterward did he have an opportunity to display his military powers. He served a short time in the Congress of the Confederation, helped to frame the Constitution, and became a member of Washington's first Cabinet.

As a financier no public man in our history can compare with Hamilton, and he was the founder of our present financial system. As a lawyer and an orator he stood in the first class; as a controversial political writer he surpassed all other men of his age. "Any man who puts himself on paper with Hamilton is lost," said Burr, some years before their fatal quarrel. Hamilton did a service for America that will never be forgotten; to him above all men we are indebted for national strength. But his usefulness was marred by his egoism and his want of faith in the good sense and good intentions of the masses. Had he been born to a throne, he would have made a great ruler; but, as he himself acknowledged, he was out of place in this western world, where the voice of the people cannot be stifled and must prevail.

Aaron Burr may have felt a thrill of the joy of victory at the fall of his great rival at Weehawken. He did not foresee that his fatal bullet would add a luster for all time to the name of his fallen victim, and would cover his own with indelible dishonor. He did not foresee that the ghost of Hamilton would pursue him like a Nemesis from land to land, would mark his every project with failure, would hound his footsteps for thirty years, until at last, aged

and tottering, he would sink into the grave, the victim and not the conqueror of the fatal duel at Weehawken.

New York and the nation were shocked at the death of Hamilton. The great untrained public had applauded dueling, but it was costly sport when such an intellectual light as Hamilton became its victim. This great giant, the public, like a petulant child that takes vengeance on the plaything with which he has injured himself, felt the wound and grew angry and demanded a victim—and Burr became the victim.¹⁶⁸

When the people of New York learned that Burr had practiced with his pistol for some weeks before the duel, with the evident intention, not of retrieving his honor, but of killing his rival, he was denounced as a murderer. He fled to Philadelphia, but here public opinion was equally against him, and he went to the South. Some months later he returned northward, hoping to find public feeling allayed; but not finding it so, he decided on a tour to the West. He crossed the mountains to Pittsburg, whence he floated down the Ohio to Marietta. He then visited the long, low island in the river a few miles below Marietta, where lived, with his wife, a romantic Irish gentleman named Blennerhassett. Burr proceeded down the river to the site of Louisville and crossed the country to Nashville, where he was received by Andrew Jackson. Next we find him at New Orleans secretly conferring with some of the leading men of the city.

What was Burr's object in making this western tour? Many who knew of his restless ambition fully believed that he was engaged in a conspiracy for selfish ends—no less

¹⁶⁸ This does not imply a belief that Burr was blameless, but that he was a natural product of a society that encouraged dueling.

than to sever the Mississippi Valley from the East, and to set up an independent nation with himself at its head. Burr had good ground to hope for success in this vast undertaking. There was a widespread belief that the East and the West would at some future time become separate nations. Burr was popular west of the mountains, and even in the East he still had friends in high life. Senators Jonathan Dayton, of New Jersey, John Smith of Ohio, and General James Wilkinson, commander of the army—these and many men of lesser note readily joined in his plot.²⁸⁴

Late in the year 1805 Burr returned to the East, and during his few months' stay he made prodigious efforts to enlist recruits for his project. He visited the English minister, and sought to secure Great Britain's aid in his project, but without success. He called upon old friends, army and navy officials, and on many whom he believed to have some grievance against the government. His success was meager, however, and he returned to the Ohio Valley in August, 1806, taking with him his charming daughter, Theodosia, now Mrs. Alston, wife of the governor of South Carolina. Leaving her with Mrs. Blennerhassett, whose husband was deeply involved in his plot, Burr, with great energy, began building boats and arming men for his expedition against Mexico, as he led the rank and file to believe. Everything seemed to promise success, when suddenly, as by a thunderbolt from a clear sky, the whole plan was shattered

²⁸⁴ Mr. W. F. McCaleb in his "Aaron Burr Conspiracy," 1903, reaches a different conclusion from that commonly believed. He claims that Burr sought only to head a filibustering expedition against Spanish possessions, that he had no design of severing the Union, and that the charges of treason rested on the testimony of Wilkinson, who was more at fault than Burr.

and annihilated. The explosion came in the form of a presidential proclamation.

President Jefferson had been slow to believe that anything serious was going on; but when he was at length convinced of Burr's perfidy, he issued a proclamation calling for the arrest of all persons engaged in the scheme. Wilkinson then betrayed Burr, whom he had promised to support, and others followed his example until Burr found himself abandoned and a fugitive from the hand of the law. He floated down the Mississippi to a point near Natchez, where he learned that Wilkinson, who was at New Orleans, had betrayed him and was planning for his arrest. Burr now saw that the game was up, and sought only to escape. He landed on the east bank of the river, exchanged clothes with a boatman, and with a single guide attempted to make his way through the wilderness to the seacoast, whence he hoped to embark for a foreign land. But he was captured in northern Alabama and carried to Richmond, Virginia, for trial.¹⁰⁸

The famous prisoner arrived in Richmond in March, 1807, and the great trial in the United States Circuit Court, Chief Justice John Marshall in the chair, was begun some weeks later. The administration became the prosecutor, while the Federalists, true to their instincts of opposition, generally sided with the accused. The contest almost became a personal one between President Jefferson and Chief Justice Marshall, who bore each other no good will. Marshall summoned the President to be a witness, but the latter refused to leave his public duties. This action of the Chief Justice was generally condemned, even by his friends.

¹⁰⁸ For a fuller account see Elson's "Side Lights," Series I, Chap. VII.

Burr was a lawyer of great ability, and besides, he secured able legal talent led by Edmund Randolph, a former member of Washington's Cabinet, and Luther Martin, the rugged "bulldog" statesman from Maryland. The leader of the opposite side was the brilliant young lawyer, William Wirt. The outcome of the trial was believed to lie largely in the hands of Marshall, and his rulings were generally favorable to Burr. The jury acquitted the prisoner on technical grounds, nor was it possible to convict him of a misdemeanor.

Jefferson was deeply disappointed at the result. He believed that Marshall had brought it about from pure dislike of himself. It is a strange fact that these two great Virginians, whose memory America still delights to honor, were ever suspicious of each other, and neither ever valued the other at his real worth.

Of Burr's guilt few had any doubt, but for want of proof he was acquitted by the jury. His reputation, however, was utterly blasted, and from this time, if not from the time of Hamilton's death, he was despised above all public men in America. After the trial he went to Baltimore and stayed with a friend, but he fled from the city by night to escape the fury of a gathering mob. Finding no rest for the sole of his foot in America, he took ship for Europe under an assumed name. There he wandered for four years; but his Nemesis pursued him. He found neither friends nor rest, and at times he was in want of the necessities of life. Returning to his native land in the spring of 1812, he found at last that the public, now about to engage in war with England, took little notice of him, and he engaged quietly in his profession, earning a fair living until

old age and disease disabled him; but he never regained the confidence of the public.

IMPRESSMENT OF SEAMEN

The reelection of Jefferson in 1804 was a grand triumph of the democracy; and yet not wholly this, for Jefferson had already proved himself not only a Democrat, not only a state-rights Republican, but also a nationalist. The purchase of Louisiana was an act of national sovereignty such as the most ardent Federalist would scarcely have dreamed of five years before. By this act, as well as by his conciliatory policy, Jefferson won thousands of his opponents without alienating the members of his own party. Of all the presidential elections save one, since the days of Washington, that of 1805 came nearest being unanimous. Jefferson and his colleague, George Clinton, received all the electoral votes except fourteen, which were cast for the Federalist candidates, C. C. Pinckney and Rufus King. But the trying time in the life of the President was yet to come, and that was in connection with our foreign relations. France had failed to give boundaries to the great tract of land that she had sold to the United States. Livingston was at first chagrined that he had acquired the west bank only of the Mississippi when he had been authorized to purchase the east bank. But he soon found a way out of his dilemma by claiming the east bank, or West Florida, also, as a part of Louisiana. His example was followed by the administration; and thus began a series of negotiations that covered several years. Spain protested vehemently against this claim of the United States, but Spain lay prostrate at the feet of Napoleon. Jefferson at length abandoned this claim

and sought to purchase the coveted territory.¹⁰⁰ Seeing that it was France and not Spain with whom he had to deal, he suggested offering the former a sum of money for the rights of Spain in Florida, with an implied threat of making an alliance with England in case of refusal. Congress voted \$2,000,000 for such a purpose. But suddenly all thought of a British alliance was scattered to the winds. England revived the rule known as the Rule of 1756.

France and England were again at war, and the former was not permitted by the Mistress of the Seas to trade with her own colonies. France, therefore, threw open her colonial trade to neutrals, a thing she did not ordinarily do in time of peace. In consequence the Americans built up a great trade with the French West Indies; and as most of the other nations of Europe were embroiled in the war and could not trade under their own flags, the United States became the carrier for the world. But this was all changed by the revival of this old Rule of 1756, by which a neutral was not permitted to enjoy in time of war that which was not permitted it in time of peace. In view of the fact that American ships were supplying the wants of England's enemies, one can scarcely blame England for enforcing this old rule. But it raised a cry of despair in America. Thousands of mariners and merchants suddenly found their occupation gone and themselves face to face with ruin.

But this was not all, nor half. The impressment of American seamen into the British navy was now at its height. This practice had fallen into the background during the short season of peace between France and England that ended in 1803, but with the renewal of the war it had

¹⁰⁰ He did not formally or officially abandon the claim, but he practically did so by making this offer.

been revived with alarming vigor. The British ministry had refused America's repeated offers to arrange for a mutual exchange of deserters. In the most high-handed manner a British captain would overhaul an American merchantman on the sea or in port, muster the crew before him, and choose whom he would for the British service; and too often native Americans, or men whose speech showed plainly that they were not Englishmen, were seized. Old revolutionary soldiers complained that their sons were thus forced to fight the battles of England. One old soldier, whose sons had been impressed, had served through the war, had lain for fifteen months in a British prison, and had lost his estate by means of the war. He wrote a bitter complaint to Congress, stating that if this was the kind of liberty he had gained, he had rather be without it.¹⁰⁷

These two questions—England's decision concerning the trade of neutrals, and the impressment of seamen—called from Jefferson a special message to Congress, reciting these wrongs; and this was followed two months later by a non-importation act, limiting our trade with Great Britain. This measure passed in spite of the determined opposition of the erratic, sarcastic John Randolph, who had broken friendship with the administration. Randolph made a powerful speech, and pointed out one great fact that many had not yet seen, namely, that Great Britain was now really fighting for liberty, that she was the only remaining obstacle in the path of the ambition of that mighty despot who had risen in France.

Even President Jefferson seemed to be cringing before the French Emperor. At Napoleon's command he abandoned the American claims against the court of Spain, and

¹⁰⁷ Schouler, Vol. II, p. 102.

forbade American vessels to trade with the rebellious French colony of Santo Domingo. Why? Not from fear, but because his heart was set on obtaining West Florida, and he knew that Bonaparte alone could grant his wishes or deny them. The latter, knowing Jefferson's desires, played upon this string for several years; when he wished some humiliating service from the American President, he held up the prize before his eyes, then again he would withdraw it.¹⁰⁸ At length Jefferson grew impatient and threatened an alliance with England, ignoring the fact that the impressment business was increasing. But when the Rule of 1756 was revived by the British government, and when not only our sailors, but even our ships were ruthlessly seized by the British,¹⁰⁹ even Jefferson could endure it no longer. And still he was for peace. Instead of threatening war, he quietly sent James Monroe and William Pinckney to London to make a treaty in place of the portions of the Jay Treaty which had expired. A treaty was soon framed, and it reached America in the spring of 1807; but as the English ministry had refused to renounce the right of search,—and to secure this had been the chief object in sending the two men to London,—Jefferson rejected the treaty without sending it to the Senate.

Before midsummer of that year an event occurred that stirred American society as it had not been stirred since

¹⁰⁸ A few years later the United States actually seized West Florida; but the occupation was not considered legal by foreign powers. In 1819, when Spain ceded Florida to the United States, West Florida was included in the cession, and the United States accepted it in order to gain a legal title.

¹⁰⁹ Within three years, ending with 1807, 349 American ships were captured by the British. Gordy, Vol. I, p. 440.

the days of the Revolution. It is known as the affair of the *Leopard* and the *Chesapeake*.

Three men had deserted from the *Melampus*, an English vessel, and had enlisted in the *Chesapeake*, a United States frigate of thirty-eight guns, then fitting out for the Mediterranean under Commodore Barron. The British minister, Erskine, requested their surrender; but Jefferson refused, because, first, England had declined to arrange for the surrender of deserters, and second, the three men,¹⁷⁰ as the President believed, and as was afterward proved, were all American born, two of whom had been wrongfully impressed from an American vessel in the Bay of Biscay. Upon this Admiral Berkeley, British commander in American waters, issued from Halifax an order commanding the British captains to search the *Chesapeake* and take the men by force.

A few weeks later the *Chesapeake* dropped down to Hampton Roads and put to sea. At the same time the *Leopard*, an English two-decker of fifty guns, stood out to sea. She then bore down upon the *Chesapeake*, and her commander demanded the surrender of the three deserters, producing at the same time Berkeley's order to search the American vessel in case of refusal. Barron replied that he had no knowledge of such deserters, and that the crew of a United States war vessel could be mustered by their own officers alone. The captain of the *Leopard* then shouted through a trumpet, "Commodore Barron must be aware that the orders of the admiral must be obeyed." Next came a solid shot across the bow of the *Chesapeake*, and another; and these were followed by a broadside. Barron was utterly surprised. He was unprepared to return the

¹⁷⁰ All three were colored men.

compliment, and after twelve minutes of a raking fire, three of his crew lying dead upon the deck and eighteen wounded, he hauled down the American flag and surrendered his vessel. The crew was now mustered before the British officers, and the three deserters from the *Melampus* were secured.¹⁷¹

Hitherto only merchantmen were overhauled at sea by British captains; but here was an attack on a United States war vessel, which represented the sovereignty of the nation. The people of the whole country, including the Federalists, flared up with indignation, and there was scarcely a city or town in the Union that did not pass resolutions denouncing the attack as a dastardly outrage. Jefferson issued a proclamation ordering all English cruisers to leave American waters, and a demand was made upon Great Britain to disavow the act and to make reparation. The British ministry promptly disavowed the attack and sent George Rose to make reparation; but his instructions were such that the United States refused to treat with him. He was instructed to demand the recall of the President's message and the punishment of Commodore Barron for receiving the deserters. His mission came to naught, and the matter hung fire for several years.¹⁷² Barron was afterwards punished with five years' suspension from service, not for receiving

¹⁷¹ Two other men, real deserters from the British service, were also taken. One of them, named Ratford, was afterward hanged at Halifax. The colored men were reprieved on their promise to reënter the British service. More than a year before this, a shot from the British ship *Leander*, in the New York harbor, killed a man on an unoffending coaster. This had caused great excitement, but nothing to compare with that caused by the *Leopard*.

¹⁷² Five years after this occurrence the three impressed Americans were replaced on the deck of the *Chesapeake*.

the deserters, but for neglect of duty in not being ready to defend the *Chesapeake*.

FRENCH DECREES AND ENGLISH ORDERS IN COUNCIL

The war now raging in Europe was tremendous. The British nation was superior to the French, and would have crushed it but for the genius of one man, Napoleon Bonaparte. This wonderful man had laid Europe at his feet, and had boasted that his will should be the law of the world. He even had the temerity to dispute the dominion of the sea with the powerful navy of England; but his hopes, in this line, were utterly crushed in 1805 by the victory of Nelson at Trafalgar. Even this seemed not to daunt Napoleon in his vast plans; he rose above this defeat with the audacity of genius. He overthrew the Austrians at Ulm and Austerlitz, and the Prussians at Jena; and he now determined to starve the island kingdom by closing its ports to the commerce of the world. He issued from Berlin, Germany, the "Berlin Decree," declaring the British Isles in a state of blockade, making prize of war all merchandise produced by England or her colonies, and declaring that no ship that touched at an English port should be admitted to a port of France or her allies.¹⁷⁸

The news of this decree reached England at the moment when Monroe and Pinckney were about to sign their tentative treaty with that country; and the English agents now appended to the treaty a protest against the decree of Napoleon, and reserved the right of the British government to

¹⁷⁸ This was part of his so-called "Continental System," a combining of the continental powers to break down England. This decree had been preceded by Napoleon's closing the ports of Bremen and Hamburg to British commerce, and by England's declaring a blockade of the coast from Brest to the Elbe, May, 1806.

retaliate in case neutral nations submitted to it. For taking such a position England could not be blamed; but far otherwise was her action a week later. Without waiting to see what "neutral nations," which meant the United States, would do, she issued an Order in Council, closing to neutrals all ports under French control. This order, with the Berlin Decree, struck a terrible blow at American commerce; but this was not all. Late in the autumn of the same year (1807), while the American people were still raving over the *Chesapeake* affair, the English issued an Order in Council which was a violation of international law, and which struck at the very foundations of American sovereignty. By this order any neutral vessel trading at a European port from which British ships were excluded was required first to stop at an English port and pay a duty, and this must be repeated on the return voyage. The object of this order, as acknowledged by the English premier, was not simply to cripple Napoleon, but to protect British trade from the rising commercial power of the United States. No self-respecting people could obey such a decree, and it is certain that this order would not have been issued had our country then been able to protect itself against all comers.

Napoleon waited but a few weeks after this order was issued before sending forth from Milan, in retaliation, one of his famous decrees, declaring that any vessel having been searched or having paid a tax at a British port, might be seized in any French port as a lawful prize.

These orders and decrees were aimed at America as the only neutral worth considering; not that either of the great belligerents wished to provoke America to war, nor that either bore malice toward the American people or govern-

ment. But it is true that each sought to draw the United States into a war with the other, and failing in this each showed a contempt for American rights that would not have been shown toward a first-class power.

What now could America do? Three ways were open: first, to ignore the French decrees and the English orders, but this would have resulted in an alarming destruction of American shipping and practically in sweeping it from the seas; second, to make war on both France and England, the two most powerful nations of the earth, and this might have resulted in the downfall of the Republic while still in its youth; third, to refuse to trade with either of the offending powers, and this at the cost of ruining thousands of our merchants, and throwing tens of thousands of sailors and laborers out of employment. Which road should be chosen? Jefferson was preëminently a man of peace; he had a mortal fear of a national debt and of endangering liberty by strengthening the Union. And besides, Jefferson had a theory, an original theory, and here was his opportunity to give it a trial. He believed that the nations of the world would live at peace with us from motives of self-interest; that these two would rescind their hateful decrees rather than lose American trade. Offer a bone to two bulldogs fighting, and they will take little notice of the bone; they will still fight. So with France and England. Their struggle was a death struggle, and they could not turn aside for the little that America had to offer. Jefferson had this yet to learn, and he had to learn it by experience. He chose the third mentioned of the three ways. He chose not to trade with the offending powers—to lay an embargo on American commerce.

THE EMBARGO

On the 22d of December, 1807, one of the most remarkable measures in the annals of Congress was enacted into law, in accordance with a secret message of the President; and the fact that a measure so undemocratic in its nature and so extraordinary in its requirements passed both houses by great majorities, and almost without debate, showed the wonderful power with which the President still swayed his party. This was the most rigorous and arbitrary piece of national legislation, as regards private property, ever enacted in the United States.¹⁷⁴ By this law an embargo was laid, for an indefinite time, on all foreign commerce, and by it every man in the country engaged in foreign trade was deprived of his occupation. Except among the few remaining Federalists, the embargo was well received at first. But it was not long before the coasting vessels, which were not inhibited by the act, were engaged in smuggling goods into Canada and into Spanish Florida, and indeed many of them sailed to transatlantic ports. This led to a supplementary act in January, by which coasters were put under heavy bonds and made subject to severe penalties. Other supplementary acts were passed from time to time, each more severe than the preceding, until at length all foreign trade by land or sea was made illegal. As the summer of 1808 passed, and the people saw that neither France nor England gave any sign of yielding, the embargo became very unpopular, and they did everything possible to evade the law. They traded with France through Florida and with England through Canada. Barrels of flour in stacks were placed on a hillside near the Canadian boundary

¹⁷⁴ There were other embargoes at other times, but they were always limited to a definite time, a very few months.

line, when "accidentally" they were started rolling across the line until all were safe on Canadian soil. The people, especially in New England, threatened rebellion and disunion. Jefferson exhibited wonderful courage and vigor in carrying out his measure. He placed troops along the Canadian border; he patrolled the Atlantic coast with gunboats and frigates; he enjoined the governors of states to call out the militia to enforce the law where necessary. The scene was a distressing one. Ships lay rotting in the harbors. Wheat, corn, cotton, tobacco, and other articles of produce were piled in the barns of the northern farmer and the southern planter and along the wharves of every seaport.

After the embargo had operated for more than a year, and still there were many evasions of the law, an Enforcing Act was passed by Congress. By this law no coasting vessel could be loaded until the owner had given a bond for six times the value of the ship and the proposed cargo; any produce being moved "apparently" toward foreign territory was subject to seizure, and the officials were to be supported by the army and navy of the United States. Such legislation was drastic in the extreme; yet Jefferson did not shrink for an instant from putting it into operation. But his great popularity was on the wane. The South bore its burden with scarcely a murmur; but in New York and New England, where his hand fell more heavily, the President was denounced as a ruthless tyrant. When the Embargo Act was first passed, the legislature of Massachusetts was Democratic, and it pronounced the act a "wise and highly expedient measure." But the Federalists now had control of the legislature, and it denounced the embargo in unsparing terms. So in Delaware, Connecticut,

and Rhode Island.¹⁷⁸ Jefferson was not insensible to these denunciations. His second term was about to close, and he longed for the time when he could lay aside the burdens of public life. The one desire of his heart now was to continue the embargo till the close of his term of office. The country was not ready for war, and to lift the embargo without declaring war was to acknowledge the defeat and failure of the whole scheme. But the pressure was too great, and six days before Jefferson retired from office he signed an act repealing the Embargo Act, and on the day of the inauguration of James Madison the period of the odious law came to an end. In place of it, however, an act of non-intercourse with France and Great Britain was passed.

Most historians regard the planning and carrying out of the embargo the great blunder of Jefferson's life. To this opinion we cannot fully subscribe. It was a drastic measure, it is true, and it scattered to the winds Jefferson's old strict construction theories; it brought ruin to thousands of honest business men; it emptied the treasury, and paralyzed the energy of the nation; it almost overthrew the Democratic party, and threatened the foundations of the Republic; but it was a last resort to avoid war, and with all its disastrous effects it was no doubt better than a war with both France and England. It was an experiment, and experiments are often useful, even though they fail. It taught the people *not* to rely on commercial restrictions, and such a lesson was needed. Jefferson saw many of his best friends alienated; he saw his popularity waning and his fortune in Virginia greatly impaired; but he never wavered in his self-chosen duty.

¹⁷⁸ State Documents, edited by H. V. Ames, No. 1, pp. 26-42.

The effect of the embargo on France was very slight. It even brought from Napoleon the Bayonne Decree, ordering the seizure of all American ships found in French, Spanish, or Italian waters. He explained that, as American vessels were forbidden to leave their own ports, he was only assisting Jefferson to enforce the embargo. As a result of this kindly act, Napoleon was enabled to seize and confiscate over two hundred American ships.

The effect of the embargo on England was more marked, but not so marked as had been hoped. It brought great suffering to the poor in the manufacturing cities; but it proved an advantage to shipping interests and to land owners, whose crops brought double their usual prices. But England suffered a permanent loss from the fact that the embargo turned the people of New England to manufacturing, and from this small beginning that branch of industry has grown until the New World rivals the Old in manufactories.

CHARACTER OF JEFFERSON

Of all the public characters in our early history, Jefferson is the most difficult to classify. He was many-sided, and his public life was full of contradictions.¹⁷⁶ He had organized a new party as the champion of the people's liberty, and as a state-rights Republican; but no other President interfered so much with personal liberty, and few have come so near to driving the states into open rebellion.¹⁷⁷ These conditions, however, were brought about by foreign wars, and had no place in Jefferson's original purpose. His enemies pronounced Jefferson a doctrinaire and an impractical ideal-

¹⁷⁶ Henry Adams, Vol. I, p. 277.

¹⁷⁷ *Ibid.*, Vol. IV, p. 454.



CARICATURES OF JEFFERSON AND THE EMBARGO.

1807.

From the originals in the collection of Chief Justice Mitchell, Philadelphia.

ist, and they were in some measure right. In consequence of his ideals, which he attempted to carry out in practice, he made many blunders. His statesmanship was farsighted in its ultimate aims, but not always so in its means of attaining an end. His dread of a national debt was almost childish; his no-army and no-navy theories were centuries in advance of his age.

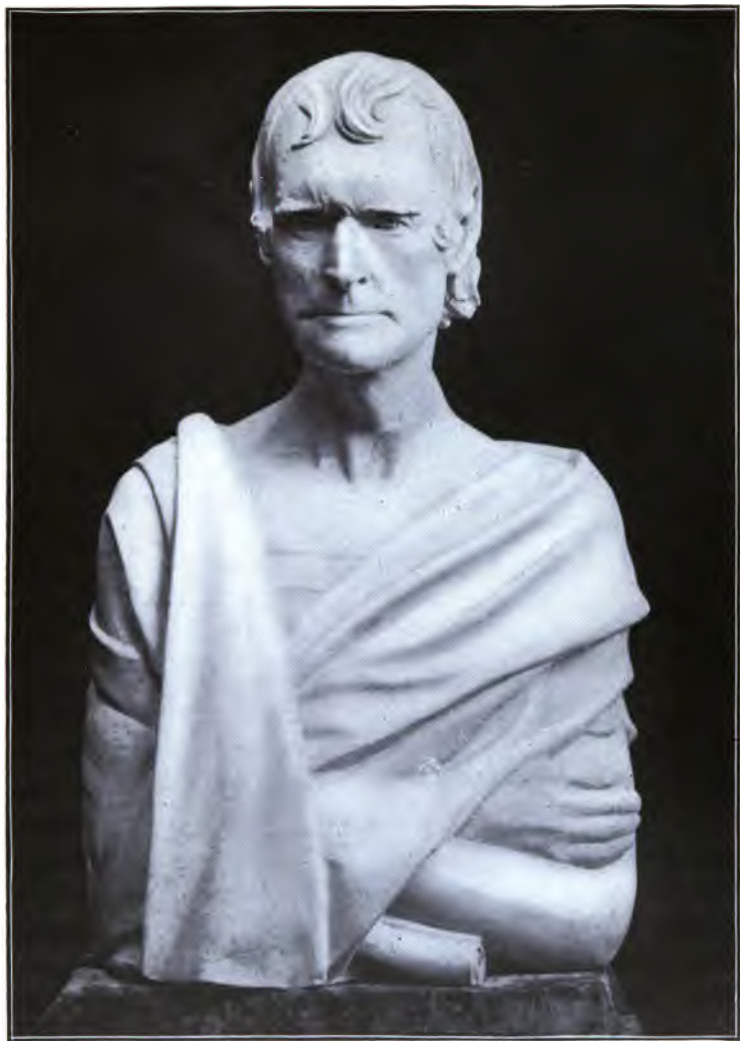
Two theories had this dreamer, Thomas Jefferson. Both were vast in scope and revolutionary in the world of human government. To carry out these two he devoted his life, and on these he staked his reputation. One was his belief that the nations can live in harmony without war. In this belief he destroyed his ships and disbanded his armies. In this belief he sacrificed his popularity, his fortune, and his friends. What a sublime and admirable confidence in an untried theory! Jefferson failed in this, and the bitterness of his disappointment was known only to his own soul. A century has passed since then, and Jefferson's dream is still a dream. But the time will come—we hope it will come—when human warfare will be a thing of the past; when armies and navies will be needed no longer, when an enlightened race will reject the barbarous methods of a crude civilization of by-gone ages—and then the fame of Jefferson will reach its zenith; then he will be remembered as a voice crying in the wilderness.

The other principle to which the genius of Jefferson was devoted may be expressed in the one word—"Democracy." This was his chief idol; and without this his type of statesmanship had no excuse for existing. The claim, made by many, that state rights was a cardinal object of Jefferson's devotion, is erroneous. He was a strong friend of state rights, it is true, not from state pride, nor from a local and

limited patriotism; but because he saw, and was the first to see, that the power of the states was the most promising safeguard against the threatened encroachment of the national government. State rights was therefore but a means to an end with Jefferson. Why should he care more for state rights than for county rights or township rights, except in so far as they promoted the great object for which he entered public life—to secure the rule of the democracy?

Again, Jefferson had founded his party on the theory of strict construction, and to this day shallow historians assert that he failed in the great aim of his life, because he gradually abandoned his theory of constitutional interpretation and adopted the old Federal doctrine of loose construction. In sober truth, Jefferson cared nothing for strict construction. It was to him, like state rights, only a tool, a weapon, the means of gaining an end, and that end was the triumph of Democracy. I may even go farther and say that Jefferson was not an enemy to a strong central government. His life-work bears out this statement, though his words often contradict it. He first opposed a strong government because he feared that it would foster class rule, to the exclusion of the masses, and his life struggle was against class rule. No longer did Jefferson oppose a strong government when it was the creation of the people, and existed at their pleasure and for their good; but he was an unrelenting foe to such a government by any power except the power of those who were to be governed. Jefferson studied into the European monarchies till his heart was sick with loathing at their corruptions and their tyrannies. He believed that the human mind was dwarfed by over-government and oppression, and that the remedy lay in self-government.

So great was Jefferson's popularity at times that many



1746 — THOMAS JEFFERSON — 1826.

By JOHN HENRI ISAAC BROWERE, 1825.

From the original bust in the possession of the Browere heirs.

were led to believe that his chief object was to win popular applause, rather than to serve his country. Let us examine. If devoted to self-interest, why did he, an eldest son, abolish the law of entail and of primogeniture in Virginia? Why did he, a slaveholder, oppose slavery all his life? If a seeker of popular applause, why did he appear in no northern city during the last thirty years of his life, including his entire presidency? Why did he suppress the date of his own birth in order to abolish the monarchical practice, as he termed it, of celebrating the birthdays of public men? These are not the acts of a time-server or a self-seeker.¹⁷⁸

Jefferson, on becoming President, could not always carry out his theories, and he often found himself standing on old Federalist ground. He became nationalized by the responsibility of power. His statement, that the chief object of government was to restrain men from injuring one another, had to be modified; but this did not indicate a change of principles; it was a rising to an emergency, an adjusting of his sails to the veering of the wind. With all his changing he never changed in the one thing, the idol of his heart, the passion of his life—his desire for a rule of the democracy. To this principle he was as constant as the northern star.

Democracy has won in the United States, and the spirit of its founder lives in all our political parties. He has stamped his individuality on the American government more than any other man. Democracy is supreme in this country. In all matters of government the people rule, except where their own lethargy has suffered the political boss to gain a temporary ascendancy. If combinations of wealth or other interests gain control of the government, it is be-

¹⁷⁸ This thought is suggested by Henry Adams.

cause the people do not use the machinery that is in their hands. We have also nationality, strong and firm; but this has its being only at the will of the democracy. All constitutions, laws, congresses, and courts are subject to this great, final, national tribunal—the People. No statesman can rise above and disregard this power; no act of Congress is so stable that it may not be ground to powder by the ponderous weight of public opinion. This vast being, the Public, has discovered his strength, and it was Thomas Jefferson above all men who awakened him to self-consciousness.

NOTES

Jefferson's Religion and Learning.—There has been much dispute about the religious belief of President Jefferson. Many of his contemporaries were of the opinion that he was an atheist, or at least an infidel; but this was erroneous, and it had its origin in the part he played in disestablishing the church in Virginia, and in certain excerpts from his writings. While Jefferson was a vestryman in the Episcopal church for many years, to the time of his death, he was very broad in his religious views, and made no quarrel with his neighbor for believing "in one God or twenty gods." He had no patience with Puritanism, and his strife with the New England clergy ended only with his public life. There is no doubt that he was sincere and even devout. He pronounced Christianity the purest and sublimest system of morals ever delivered to man. To John Adams he wrote: "An atheist I can never be. I am a Christian in the only sense Christ ever wished one to be." He was probably a Unitarian in belief. He was doubtless a man of pure morals, notwithstanding the attacks of some of his enemies.

Jefferson was very studious. His learning was remarkable for its compass, and could scarcely be equaled in his times. It was said that he "could calculate an eclipse, survey an estate, tie an artery, plan an edifice, try a cause, break a horse, dance a minuet, and play the violin." One of his biographers quotes a northern man who spoke thus of Jefferson: "When he spoke of law, I thought he was a lawyer; when he talked about mechanics, I was sure he was an engineer; when he got into medicine, it was evident that he was a physician; when

he discussed theology, I was convinced that he must be a clergyman; when he talked literature, I made up my mind that I had run against a college professor who knew everything." Even Buffon, the naturalist, wrote him, "I should have consulted you before publishing my natural history, and then I should have been sure of the facts."

Theodosia Burr.—There was one pathetic vein that ran like a scarlet thread through the strange career of Aaron Burr—his relations to his daughter. His wife had died young and had left him this beautiful child, Theodosia, who reigned over his home like a princess and grew into a queenly woman. Her mental endowments were unusual. She believed her father the most perfect of men, and never seemed to doubt the honesty and sincerity of his motives. At Richmond she followed the trial with the keenness of a trained lawyer, and won the admiration of every one that came within her influence. When all others execrated her father as a villain, she clung to him with the greater devotion. While he was in Europe, she wrote: "I witness your extraordinary fortitude with new wonder at every new misfortune. . . . My vanity would be greater if I had not been placed so near you, and yet my pride is our relationship." On Burr's return to America, Theodosia left her southern home to fly to his arms. She was in mourning for her only child, a bright and promising boy, who had recently died and, like Rachel, she refused to be comforted. She embarked on the sea at Charleston, and her father watched and longed with painful anxiety for the coming of his one remaining friend, whose faith in him had never faltered. But he waited in vain. The ship was lost upon the ocean, and not a life was saved. When Burr realized that his faithful daughter had found a grave at the bottom of the sea, and his own utter loneliness, his grief was almost unbearable; yet he suppressed it with wonderful self-control. He lived beyond his four-score years, dying in 1836, and was buried with his fathers at Princeton, New Jersey. His father, the Rev. Aaron Burr, had been president of Princeton College, and his mother was a daughter of the great Puritan divine, Jonathan Edwards.

Impressment of Seamen.—The insolent methods often employed by English shipmasters in searching American vessels, and their indiscriminate recklessness, which resulted in their seizing many who were not British subjects, were exasperating in the extreme, and cannot be condoned. But it is a mistake to believe that the British government maintained the right of impressing seamen simply to annoy the United States. This is far from the truth. In fact, impressment was almost a necessity to England at this time. She was engaged in a life-and-

death struggle with Napoleon. Her sailors deserted in large numbers and engaged with American ships because of better pay and easier service. At one time, complains the English minister, twelve of his Majesty's ships lay at Norfolk, Virginia, unable to move, owing to desertions. Many English sailors, on reaching an American port, would purchase forged papers of American citizenship for a dollar or two, or secure them by perjury before a magistrate. Nevertheless England was much more to blame than America because of her persistent refusal to agree to an exchange of deserters.

Fulton and the Steamboat.—The wonderful revolution in the means of travel and transportation wrought by the use of steam had its most conspicuous demonstration on the Hudson in 1807. Robert Fulton, born in Pennsylvania in 1765, was of Irish parentage. He was an artist, but he abandoned art and became an inventor. The world has chosen to honor him above all others as the inventor of steam navigation. But he only improved on the work of others. In 1786 James Rumsey experimented on the Potomac with a steamboat, and the same year John Fitch made similar experiments on the Delaware. Both were partially successful, but both failed to awaken the interest of the great public. Twenty years later Fulton did this, though Fitch was doubtless a greater genius than he. Fulton's first trial was on the river Seine in France. Here he won the interest of R. R. Livingston, our minister to France, and the two became partners, Fulton furnishing the brains and Livingston the money. Their next trial was on the Hudson. The vessel, named the *Clermont*, after Livingston's country seat, made its first trial in August, 1807, witnessed by a vast crowd of people. The boat, described as "a monster moving on the waters, defying wind and tide, breathing flames and smoke," ran from New York to Albany in thirty-two hours. From this moment steam navigation made rapid strides, until it revolutionized the world of trade and travel.

The Yazoo Frauds.—The Georgia legislature in 1795 sold to a combination of land companies a vast tract of western land owned by the state, thirty-five million acres, for the nominal sum of \$500,000. It was soon found that the members of the legislature had been bribed, and the next year the anti-Yazoo party controlled the legislature and revoked the sale. Many claims then sprang up, and the matter was referred to Congress, as the Georgia lands were afterward ceded to the Union. The matter was not settled till 1810, when the Supreme Court decided (*Fletcher vs. Peck*) that the original fraudulent sale was valid, on the ground that the Constitution forbids a state to impair the obligation of a contract. In 1814 Congress voted \$8,000,000 in land scrip to satisfy the claimants, and the long disturbance was ended.

CHAPTER XX

LITERATURE OF THE REVOLUTION

THE Revolution brought about a condition of society that formed the basis of the literature of the period not only during the time of the war, but for a score of years after its close. The literature of the last quarter of the 18th century, therefore, may rightfully be called the literature of the Revolution. The times were not ripe for production of pure literature, and of this we find almost none. Puritanism had waned and there was a dearth of theological work. But there was an abundance of patriotic songs and ballads produced by the stirring events of the war. These fell below similar productions of similar periods in England and Scotland. They have little intrinsic merit; they are not literature, but they are interesting in that they reveal the sentiment of the people as nothing else can do. The only writings of the Revolutionary period, however, that will live are the productions of the statesmen.

POLITICAL WRITINGS

Of the statesmen of the period, the makers of the nation, much has been said in our political narrative; only a brief reference to their writings will here be made. So great were their achievements in other fields that it seems out of place to speak of them as men of letters. Their writings are simply a reflection of their activities in winning inde-

public career, Madison left to posterity one work of great importance—his reports of the debates of the convention that framed the Constitution. These notes were, in part, published by Congress in 1840, in three volumes.

SONGS AND BALLADS

One of the most potent forces in stimulating patriotism during the War for Independence was the songs. Nearly every national episode leading up to the war was celebrated in song. The Stamp Act, the Boston Tea Party, Boston Massacre and various other events were duly celebrated by ballads. As the years passed the ballads became more fervently patriotic and more openly hostile against England. It is not difficult to trace the growth of the spirit of independence by the songs alone.

Among the first ballads to meet with a wide reception by the people was *The Patriot's Appeal*, written by John Dickinson of Delaware and first published in Philadelphia in 1766, the year following the Stamp Act. In the following stanza there is an expression that furnishes the sentiment for one of our national watchwords:

"Then join hand in hand, brave Americans all,
By uniting we stand, by dividing we fall;
In so righteous a cause we may hope to succeed,
For Heaven approves every generous deed."

A Tory parody of this ballad inspired another patriotic song known as the *Massachusetts Liberty Song*, which became one of the most widely known and popular ballads of the period.

On the taxing of America we have a dreary production by Peter St. John of Connecticut, thirty-seven stanzas in



1765 — ROBERT FULTON — 1815.

BY HIMSELF.

From the original portrait in possession of the American Society of Mechanical Engineers, New York.

length, each ending with "North America." The first stanza here follows:—

"While I relate my story
Americans give ear;
Of Britain's fading glory
You presently shall hear;
I'll give a true relation,
Attend to what I say
Concerning the taxation
Of North America."

An Ode on the Battle of Bunker Hill by Hugh Henry Brackenridge was one of the most meritorious odes of the times. Brackenridge wrote also a drama entitled *Bunker's Hill* and a more pretentious work entitled *Modern Chivalry*. A stirring song on the *Battle of Trenton* by an unknown writer begins thus:—

"On Christmas day in seventy-six,
Our ragged troops, with bayonets fixed,
For Trenton marched away.
The Delaware see! the boats below!
The light obscured by hail and snow!
But no signs of dismay."

The surrender of Burgoyne was celebrated in a 12-stanza ballad of which the first two are:—

"When Jack the King's commander
Was going to his duty,
Through all the crowd he smiled and bowed
To every Blooming Beauty.

"The city rung with feats he'd done
 In Portugal and Flanders,
 And all the town thought he'd be crowned
 The first of Alexanders."

The surrender of Cornwallis brought a large crop of ballads, the most meritorious of which began thus:—

"Cornwallis led a country dance,
 The like was never seen, sir,
 Much retrograde and much advance,
 And all with General Greene, sir.

"They rambled up and rambled down,
 Joined hands, then off they run, sir,
 Our General Greene to Charlestown,
 The earl to Wilmington, sir.

"Greene in the South then danced a set,
 And got a mighty name, sir,
 Cornwallis jigged with young Fayette,
 But suffered in his fame, sir."

The commander in chief came in for a large share of homage from the musical soldiery. One long ballad singing his praises, written by Jonathan Mitchell Sewall, thus begins:—

"Vain Britons, boast no longer with proud indignity,
 By land your conquering legions, your matchless strength
 at sea,
 Since we, your braver sons incensed, our swords have
 girded on,
 Huzza, huzza, huzza, huzza, for war and Washington."

The only Revolutionary ballad that is still well known to the American people is the rollicking song known as *Yankee Doodle*.

"Father and I went down to camp,
Along with Captain Gooding,
And there we see the men and boys,
As thick as hasty pudding.

(Chorus.)

"Yankee Doodle, keep it up,
Yankee Doodle, dandy,
Mind the music and the step,
And with the girls be handy."

The song is said to have been written by a British soldier in Boston in 1775. The whole is devoid of poetic merit. The origin of the tune is lost in obscurity. It was sung in England at the time of Cromwell and is said to have been known on the continent at a still earlier date.

Francis Hopkinson (1737-91), a signer of the Declaration of Independence, was the author of many songs of varying degrees of humor, some of which became very popular. The best known of these is the *Battle of the Kegs*. While the British occupied Philadelphia the Americans sent down the Delaware among his Majesty's shipping certain machines, resembling kegs, filled with powder. The British, learning this, fired at every small object they saw floating in the water. This "battle" is humorously described by Hopkinson in his *Battle of the Kegs*, which set the whole country in a roar.

It remained, however, for Joseph Hopkinson, son of the preceding, to write the only popular ballad produced by an

American before the opening of the 19th century which has lived in our literature. This was "Hail Columbia," written, as stated in a preceding chapter, for a Philadelphia theatre at the time of the threatened war with France. This little poem, though not of great merit, touched a popular chord and has held a place in the great public heart for a century.

FRENEAU AND THE "HARTFORD WITS"

On the decline of Puritanism the American muse was transferred for a generation from Harvard to Yale College. Certainly during the period of the Revolution and for at least two decades thereafter the elder seat of learning was eclipsed by her aspiring sister at New Haven. The literary interests of New England now centered about a band of singers, nine in number, sometimes called the "Connecticut Choir," or, more frequently, the "Hartford Wits," because at one time or another most or all of them resided at the old colonial capital of Connecticut.

This tuneful brotherhood was composed of men of high intelligence and of exalted patriotism, typical leading citizens of the time. They banded together for the purpose of producing a native American literature. They wrote great quantities of verse, all of which has perished. Not one of the nine men made an enduring name in literature. Only three of them need be mentioned, even by name, in this brief notice. These were Timothy Dwight, Joel Barlow, and John Trumbull.

Timothy Dwight was a grandson of Jonathan Edwards, a graduate of Yale, chaplain in the Continental army, pastor of a church, and, during the last twenty-two years of his life (1795-1817) was president of Yale College.

He was the author of a large theological work, of *Travels in New England*, and of many published sermons and addresses; and during his busy life he found time to write many poems. He wrote hymns and patriotic songs; he wrote a metrical satire, *The Triumph of Infidelity*, and dedicated it to the French atheist Voltaire. Dwight's most pretentious poem, however, was *The Conquest of Canaan*, a ponderous work in eleven books, which no one at this day pretends to read. His little poem *Columbia*, written while a chaplain in the army, marks the first use of the word Columbia. Dwight was one of the strong and well known men of his time, but of his voluminous writings nothing now lives, except it be the hymn beginning:—

"I love Thy kingdom, Lord
The house of Thine abode."

Joel Barlow was a graduate of Yale, a soldier, a diplomat, an editor, a poet, and so forth. He spent many years in Europe and, being involved in the great march of Napoleon from Moscow in 1812, died of exhaustion. Barlow published many poems which we need not notice. His fame rested on his long epic, *The Columbiad*. This poem was not published till 1807, though his shorter poem on which it was based, *The Vision of Columbus*, had been published some years before. *The Columbiad* is a visionary description of the rise of America. The story is related to Columbus in prison by Hesper, the genius of the western world. The theme is not wanting in grandeur, but the "epic," more than 7,000 lines in length, is insufferably dull. It failed to win a place in literature even in that day of bad poetry; and yet the author, with colossal self-conceit, practically intimates in his preface that it will eventually sup-

plant the *Iliad* and the *Æneid*. Barlow was the author of a humorous poem, *A Hasty Pudding*, which contains some real wit and is far more readable than *The Columbiad*.

A third of the Hartford Wits who demands a moment of our attention is John Trumbull, a lawyer, a judge, and a poet. It is a remarkable fact that he passed the entrance examination at Yale at the age of seven years, but was not permitted to begin the course until six years later. As a poet Trumbull's ability was greater than that of Dwight or of Barlow, but his work, like theirs, proved to be of only temporary interest. For two satirical poems Trumbull is still faintly remembered in the literary world. The first, *The Progress of Dullness*, was a satire on the education of the times. The second, *McFingal*, a mock epic, was closely modeled after Butler's *Hudibras*, and for wit and stinging satire falls but little below the work of Butler. *McFingal* was directed chiefly against the Tories, whom it mercilessly berates; it ran through thirty editions, and the first part, being published early in the war, became a wonderful force in stimulating patriotism. The poem admirably describes the men and manners of the times; it found many readers in England and France, and it might have found a place among the immortals but for want of picturesqueness, as one critic has said, and for a lack of permanent interest in its heroes.

Turning from the Connecticut singers, we find in Philip Freneau the greatest poet of the Revolutionary era. Freneau was of Huguenot descent, a native of New York and a graduate of Princeton. He resided for the most part in New Jersey, spent much time at sea, and in the nineties he was editor of a newspaper in Philadelphia and a rabid parti-

san follower of Jefferson. He died in 1832 at the age of eighty years.

Freneau was a voluminous writer of prose and poetry. During the war for Independence he cheered the patriot soldiers with many an inspiring lyric. But this was not all. He was the first American poet to draw inspiration from the beauties of nature, the first also to appreciate the poetic side of Indian life and character. It was his war lyrics that stirred his compatriots and gave the poet a name; but his imaginative poems, which are far more meritorious, attracted little attention at the time. Among the latter the most deserving are *The Indian Burying Ground*, *The Dying Indian*, *Death Song of a Cherokee Indian*, dealing with the Indian character, and the imaginative poems, *The House of Night*, *A Vision*, *On the Ruins of a Country Inn*, *To a Honey Bee*, and *To a Wild Honeysuckle*.

Here is the first stanza of *The Dying Indian* :—

“On yonder lake I spread the sail no more,
Vigor and youth and active days are past;
Relentless demons urge me to that shore
On whose bleak forests all the dead are cast.”

From *The Indian Burying Ground*, probably the most charming of Freneau's poems, we quote :—

“Here still a lofty rock remains,
On which the curious eye may trace
(Now wasted half by wearing rains)
The fancies of a ruder race.
* * * * *

“There oft a restless Indian queen
(Pale Shebah with her braided hair)

And many a barbarous form is seen
To chide the man that lingers there.

“By midnight moons, o’er moistening dew,
In habit for the chase arrayed
The hunter still the deer pursues,
The hunter and the deer—a shade!

“And long shall timorous Fancy see
The painted chief, and pointed spear.
And Reason’s self shall bow the knee
To shadow and delusions here.”

We find here a play of the fancy and a delicacy of touch that stamp the writer as a true poet. Scarcely inferior to this lyric is that addressed to a wild honeysuckle, here given in full.

TO A WILD HONEYSUCKLE

Fair flower, that dost so comely grow,
Hid in this silent, dull retreat,
Untouched thy honied blossoms blow,
Unseen thy little branches greet.
No roving foot shall crush thee here,
No busy hand provoke a tear.

By Nature’s self in white arrayed,
She bade thee shun the vulgar eye,
And planted here the guardian shade,
And sent soft waters murmuring by;
Thus quietly thy summer goes,
Thy days declining to repose.

Smit with those charms, that must decay,
I grieve to see your future doom;

They died—nor were those flowers more gay.
 The flowers that did in Eden bloom;
 Unpitying frosts, and Autumn's power,
 Shall leave no vestige of this flower.

From morning suns and evening dews
 At first thy little being came;
 If nothing once, you nothing lose,
 For when you die you are the same;
 The space between is but an hour,
 The frail duration of a flower.

Such verses are tenderly beautiful, if not great. The author was honored by the appropriation verbatim of one of his lines by Thomas Campbell in "O'Connor's Child," and of another by Walter Scott in "Marmion." Freneau has been called "The Poet Laureate of the Revolution," and it is by the narrowest margin that he missed making for himself a permanent place among men of letters.

Many other verse-writers of the period rendered valuable service to their country, but are now forgotten. We close our list with the mention of Phillis Wheatley (1754-84), the phenomenal negro slave-girl of Boston. As an ignorant, ragged child of seven years, direct from her native Africa, this girl was sold in the slave-market at Boston to a Mrs. Wheatley. On discovering that the child was bright and inclined to learning, Mrs. Wheatley gave her a good education. She began writing verse at an early age and before she was nineteen a volume of her poems was published, which elicited an appreciative personal letter to the author from George Washington. Phillis Wheatley's poetry contains nothing of permanent interest; but it is quite up to

the average standard of the times. As a sample of her work her lines *On the Imagination* here follow:—

“Imagination! who can sing thy source
 Or who describe the swiftness of thy course?
 Soaring through air to find the bright abode,
 The empyreal palace of the thundering God,
 Who on thy pinions can surpass the wind
 And leave the rolling universe behind.
 From star to star the mental optics rove,
 Measure the skies, and range the realms above;
 There in one view we grasp the mighty whole,
 Or with new worlds amaze the unbounded soul.”

MISCELLANEOUS WRITERS

The era of the Revolution produced not more than two theological writers who can properly be compared with the leading theologians of colonial days, and both of these produced more miscellaneous than theological writings. One of these, President Timothy Dwight of Yale, we have noticed among the poets and have referred to his extensive work in theology. The other was Dr. John Witherspoon, who, though born and reared in Scotland, was as true-hearted an American as any native-born patriot. He became president of Princeton, the “College of New Jersey,” in 1768 and so continued to his death in 1794. He was a member of Congress and signer of the great Declaration in 1776. Many of Dr. Witherspoon’s books are collections of discourses on various topics, as his *Practical Discourses on the Leading Truths of the Gospel*; *The Druid*, a collection of essays on social and literary topics; *Authority of the British Parliament*; *An Essay on Money*, and others.

His one work which attracted more attention perhaps than any other, *Ecclesiastical Characteristics*, was written before he left Scotland. Others who might be named in this meager list were Dr. Ezra Stiles, who preceded Timothy Dwight as president of Yale and who wrote a History of the Three Judges of King Charles I—Whalley, Goffe, and Dixwell—and Bishop William White of Pennsylvania, who was the author of various works pertaining to the Episcopal Church.

The historians of this period were even less numerous than the theologians. Aside from the few that we have noticed as having touched on history, but two need be mentioned—Governor Thomas Hutchinson of Massachusetts and David Ramsay of South Carolina. Hutchinson, the last of the royal governors of Massachusetts, wrote a history of that colony in three volumes, covering the period from the first settlement of the Puritans in 1628 to 1774. David Ramsay wrote *A History of the United States*, from 1607 to 1808, in three volumes; *A History of the Revolution*, in three volumes;¹⁸⁰ *A History of South Carolina*, and *A Historical View of the World*, in twelve volumes.

One of the most vigorous of the miscellaneous writers was Thomas Paine, to whose *Common Sense* and *The Crisis* we have referred in another chapter. At a later date Paine published *The Age of Reason*, and *The Rights of Man*. Aside from his political writings the works of Paine had a deleterious influence, and, though several times republished, they are now no longer read.

Prose fiction as a branch of American literature did not

¹⁸⁰ A History of the Revolution was written also by Mrs. Mercy Warren, a sister of James Otis. Mrs. Warren wrote also dramas, poems and political essays.

exist till after the Revolution, and but one conspicuous writer in this department appeared before the dawn of the 19th century—Charles Brockden Brown.¹⁸¹ Brown was the first American to devote his life to literature as an occupation; he was the pioneer of the vast army of fiction writers that have appeared since his time.

Born in Philadelphia in 1771, he read law, but abandoned the profession for that of letters. His later life was a long battle with consumption, of which he died in 1810.

Brockden Brown's first novel, *Wieland*, was published in 1798 and met with immediate success. This was followed in rapid succession by *Ormond*, *Arthur Mervyn*, *Edgar Huntley*, *Clara Howard*, and *Jane Talbot*.

As a writer of fiction Brown possessed some elements of strength that have seldom been surpassed since his day; but these were more than balanced by points of weakness, which have prevented him from taking a permanent place in literature. Like many of our early writers, Brown was an imitator to some extent of English models; but this fact did not prevent him from being intensely American. Among his chief faults are his want of constructive power in planning his novels, the conventional lifelessness of his characters, and a certain turgidness of style. His greatest strength lay in his power of creating thrilling scenes, and his unusual ability in describing them. He was a witness of the terrible scourge of yellow fever in Philadelphia in 1793, and in New York a few years later. These are described with much power in *Ormond* and in *Arthur*

¹⁸¹ If another name be added, it must be that of Mrs. Susanna Rawson, who wrote several novels, one of which, *Charlotte Temple*, became very popular and retained its readers for many years. Mrs. Rawson also wrote dramas, poems and school books. She was born in England and spent much of her life in London.

Mervyn. Many of Brown's fictitious scenes are peculiarly horrible and the writer describes them with realistic baldness, and without a thought of sparing the feelings of his readers.

